

First Cross- Exhibit Ellis Mays

Email exchange re Construction & Maintenance Agreement

From: [Mays, Ellis](#)
To: [Gloria Mantz](#); [Peggy J. Ygbuhay](#)
Cc: [Robert Lochmiller](#)
Subject: RE: FW: Barker Rd UPRR crossing
Date: Monday, June 21, 2021 3:52:07 PM
Attachments: [75thLogo .25in+ FullColor 99203259-1365-4410-bb3d-2889f630e7c8.png](#)
[Icon-Grayscale-12px 6413fc5d-67ab-4910-8bd1-3564238002a4.png](#)
[Twitter Logo Grayscale 9dae3634-38fc-4fba-93ee-889a3a77a75a.png](#)
[LinkedIn Logo Grayscale b2a007df-4e08-4a27-a227-808ec12a9708.png](#)

[EXTERNAL] This email originated outside the City of Spokane Valley. Always use caution when opening attachments or clicking links.

Gloria,

Unfortunately I have not received an update from UPRR Real Estate – I will reach back out for an update.

Thanks,

Ellis Mays, EIT

Public Project Manager

emays@benesch.com

mobile: 402-427-4231 **office:** 916-774-7165

3017 Douglas Boulevard, Suite 300, Roseville, CA 95661

For new public project requests: [Union Pacific Public Project Request](#)

For new utility crossing/permit: [Union Pacific Utility Crossing/Permit](#)



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From: Gloria Mantz <gmantz@spokanevalley.org>
Sent: Monday, June 21, 2021 3:41 PM
To: Mays, Ellis <EMays@benesch.com>; Peggy J. Ygbuhay <pygbuhay@up.com>
Cc: Robert Lochmiller <rlochmiller@spokanevalley.org>
Subject: RE: FW: Barker Rd UPRR crossing

Good afternoon Ellis,

Have you heard any updates from Real Estate regarding the status of the C&M agreement.

Thank you

Gloria Mantz | Engineering Manager
10210 E. Sprague Avenue | Spokane Valley, WA 99206
(509) 720-5014 | gmantz@spokanevalley.org



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From: Mays, Ellis <EMays@benesch.com>
Sent: Thursday, June 3, 2021 12:35 PM
To: Gloria Mantz <gmantz@spokanevalley.org>; Peggy J. Ygbuhay <pygbuhay@up.com>
Cc: Robert Lochmiller <rlochmiller@spokanevalley.org>
Subject: RE: FW: Barker Rd UPRR crossing

[EXTERNAL] This email originated outside the City of Spokane Valley. Always use caution when opening attachments or clicking links.

Gloria,

I do not have a new update, however, I do know Peggy is working to get this to you as soon as possible. If I do receive an update I will let you know.

Thanks,

Ellis A. Mays | Project Manager

Alfred Benesch & Company | 3017 Douglas Blvd, Ste 300, Roseville, CA 95661
C 402-427-4231 | E emays@benesch.com | W www.benesch.com [[linkprotect.cudasvc.com](#)]

From: Gloria Mantz <gmantz@spokanevalley.org>
Sent: Thursday, June 3, 2021 8:10 AM
To: Peggy J. Ygbuhay <pygbuhay@up.com>; Mays, Ellis <EMays@benesch.com>
Cc: Robert Lochmiller <rlochmiller@spokanevalley.org>
Subject: RE: FW: Barker Rd UPRR crossing

Good morning Ellis,
Have you heard any updates from Real Estate regarding the status of the C&M agreement.

Thank you for the update

Gloria Mantz | Engineering Manager
10210 E. Sprague Avenue | Spokane Valley, WA 99206
(509) 720-5014 | gmantz@spokanevalley.org



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From: Peggy J. Ygbuhay <pygbuhay@up.com>
Sent: Wednesday, May 19, 2021 5:07 PM
To: Gloria Mantz <gmantz@spokanevalley.org>
Cc: Mays, Ellis <EMays@benesch.com>
Subject: Re: FW: Barker Rd UPRR crossing

Thanks for sending. The agreement is with Real Estate and we have asked for an update. Ellis will follow up with you in the next couple of days with an update.

Peggy J. Ygbuhay
Western States Public Projects Manager
Union Pacific Railroad Company - Engineering Department
9451 Atkinson Street
Roseville, California 95747
(916) 789-5033

Please use this link to submit an inquiry for new projects:

<https://benesch.quickbase.com/db/bpqhu6hqy?a=dbpage&pageid=13> [benesch.quickbase.com]



UPRR Response Management Communication Center 1-888-877-7267

From: "Gloria Mantz" <gmantz@spokanevalley.org>
To: "Peggy J Ygbuhay (pygbuhay@up.com)" <pygbuhay@up.com>
Date: 05/19/2021 04:02 PM
Subject: FW: Barker Rd UPRR crossing

*** PROCEED WITH CAUTION - This email was sent from outside the Company ***

Peggy,

I sent this email earlier but I did not type your complete email address.

Have a good day.

Gloria Mantz

From: Gloria Mantz

Sent: Wednesday, May 19, 2021 3:07 PM

To: 'PAULRATHGEBER@UP.COM' <PAULRATHGEBER@UP.COM>

Cc: 'MRSCHROL@up.com' <MRSCHROL@up.com>; 'pygbuhay@up.com' <pygbuhay@up.com>; PE Keith Martin (martink@wsdot.wa.gov) <martink@wsdot.wa.gov>; Bill Helbig <bhelbig@spokanevalley.org>; John Hohman <jhohman@spokanevalley.org>; Robert Lochmiller <rlochmiller@spokanevalley.org>; 'AMHUNT@up.com' <AMHUNT@up.com>

Subject: FW: Barker Rd UPRR crossing

Good morning Paul,

I work for the City of Spokane Valley, Washington. Since 2018, the City has been working on the Barker Corridor Project which extends from the Spokane River to Trent Avenue, Barker Road has at grade crossing with the UPRR (WA DOT #662526C) at Euclid Avenue. The project is widening Barker Road to a three-lane road and providing a multi-use path along the corridor. This project is funded with state and federal grants.

The project was originally planned to be constructed in two phases, Euclid north of the UPRR Crossing to Trent (Phase I) and Euclid to the Spokane River (Phase II). The first phase of the project was constructed in 2019. The City began coordination with UPRR in early 2019 for the next phase of the project which includes modifying the UPRR crossing and was scheduled for construction in 2020. However, the City had to split Phase II into two separate projects in order to build the majority of the road improvements on Barker in 2020, while we waited for UPRR to finish the design of the signal crossing modifications for the at-grade crossing. We hoped, that by pushing the construction of the last section of Barker improvements until 2021, would allow enough time for UPRR to complete their design and signal cost estimates for it.

City received the signal design and cost estimate for the signal crossing modification on December 7, 2020. We were told if the City concurs with it, UPRR can proceed with the draft C&M Agreement, which we were informed typically takes 3 months to prepare. The City asked UPRR to proceed with it on December 8th, 2020.

With still not receiving the draft C&M agreement to date, the City has now pushed the last section of road improvements to the start of the construction season in 2022. However, the City must have an executed C&M Agreement before we can obligate our state and federal funds, and advertise the project. With federal funds in the project, it will take 6 weeks after the execution of the C&M agreement before we advertise the project. The project is required to obligate construction funds by September of 2021 or we risk losing the federal dollars committed to this project. Losing any of the secured funding would put the City in a hardship as we do not have the funds to replace the federal grant.

We realize the pandemic has likely impacted the execution of the C&M agreement but we still have to meet our funding commitments. As of today, we have not been given a date of when the draft C&M agreement will be

provided. We have tried to communicate the urgency of this step to UPRR and have not received a response from UPRR public project manager. I am reaching out to you to help us out as we don't know what else to do to move this project forward within UPRR and meet our funding obligations.

I am respectfully asking to please help us execute the C&M agreement as soon possible. Please let us know if you have any questions or if there is anything we can provide you with to help with this request.

Sincerely,

Gloria Mantz | Engineering Manager
10210 E. Sprague Avenue | Spokane Valley, WA 99206
(509) 720-5014 | gmantz@spokanevalley.org



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From: Johnson, Brett <JohnsBL@wsdot.wa.gov>
Sent: Wednesday, May 19, 2021 8:41 AM
To: Gloria Mantz <gmantz@spokanevalley.org>
Cc: Martin, Keith <MartinK@wsdot.wa.gov>
Subject: FW: Barker Rd UPRR crossing

Gloria,
See email below from Connie Raezer.

Brett Johnson

Cell Phone (509)385-7774

From: Raezer, Connie <RaezerC@wsdot.wa.gov>
Sent: Wednesday, May 19, 2021 8:37 AM
To: Johnson, Brett <JohnsBL@wsdot.wa.gov>
Cc: Martin, Keith <MartinK@wsdot.wa.gov>
Subject: RE: Barker Rd UPRR crossing

They may want to reach out to Paul Rathgeber. He is Peggy's manager and director of public projects.

Connie Raezer
Desk: 360-705-7459
Cell: 360-701-2242

Please visit the: [Highway-Railroad Coordination Informational Webpage \[wsdot.wa.gov\]](https://www.wsdot.wa.gov)

From: Johnson, Brett <JohnsBL@wsdot.wa.gov>
Sent: Tuesday, May 18, 2021 2:10 PM
To: Raezer, Connie <RaezerC@wsdot.wa.gov>
Cc: Martin, Keith <MartinK@wsdot.wa.gov>
Subject: Barker Rd UPRR crossing

Connie,

As per email below the City of Spokane Valley has been trying to get approval of the UPRR C&M agreement and easement needed with the UPRR ROW.

Do you have any connections with UPRR that could help the City of Spokane Valley?

If so, we would like to setup a meeting with you and Spokane Valley.

Thank you

Brett Johnson

Cell Phone (509)385-7774

From: Gloria Mantz <gmantz@spokanevalley.org>
Sent: Monday, May 17, 2021 4:09 PM
To: pygbuhay@up.com
Cc: MRSCHROL@up.com; Johnson, Brett <JohnsBL@wsdot.wa.gov>; Martin, Keith <MartinK@wsdot.wa.gov>
Subject: [EXTERNAL] FW: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

WARNING:This email originated from outside of WSDOT. Please use caution with links and attachments.

Good afternoon Peggy,

I am writing to you in regards to the City of Spokane Valley Barker Road UP Crossing Project. This project is funded with state and federal grants. The project is ready to be advertised pending approval of the UP C&M agreement and easement needed within the UP RR ROW. The City has been trying to coordinate a C&M agreement since October of 2020.

Originally, the City was planning to advertise and construct the project in 2020. However, it was rescheduled to the 2021 construction season because of the signal design at the crossing. The City is ready to advertise the project pending execution of the UP C&M Agreement. Because the project has federal funds, it would take approximately 6 weeks after the C&M agreement is executed before we can obligate construction funds to advertise the project.

The project is required to obligate construction funds in September of 2021 or we risk looking the federal dollars committed to this project. Losing any of the secured funding would put the City in a hardship as we would have to come up with the funds to replace the federal grant. Currently, the City does not have any additional dollars that could be allocated to replace the federal grant.

I am respectfully asking to please provide us with a C&M agreement as soon possible. Please let us know if you have any questions or if there is anything we can provide you with to help with this request.

Respectfully,

Gloria Mantz | Engineering Manager
10210 E. Sprague Avenue | Spokane Valley, WA 99206
(509) 720-5014 | gmantz@spokanevalley.org



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From: Mays, Ellis <EMays@benesch.com>
Sent: Tuesday, May 11, 2021 4:25 PM
To: Robert Lochmiller <rlochmiller@spokanevalley.org>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

I defer to Peggy! I know she checked in with Real Estate last month but I do not see any movement after unfortunately.

Thanks,

Ellis A. Mays |Project Manager

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C402-427-4231 |Emays@benesch.com|W www.benesch.com [protect2.fireeye.com]

From: Robert Lochmiller <rlochmiller@spokanevalley.org>
Sent: Tuesday, May 11, 2021 3:25 PM
To: Mays, Ellis <EMays@benesch.com>; Mary R. Schroll <MRSCHROL@up.com>; Peggy J. Ygbuhay <pygbuhay@up.com>
Cc: Gloria Mantz <gmantz@spokanevalley.org>; Morgan Bishop <morgan@csrow.com>; Jeff Morse <jmorse@spokanevalley.org>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Ellis/Peggy,

We have come to the conclusion that we will not be able to make this construction season due to the delay of getting a C&M agreement in place. However, we are now getting really worried that we might not even make our federal funding obligations to complete right-of-way certification by July 2021. In that event, we would lose our federal funding and would likely kill the project. Is there any way to expedite the agreement from UPRR Real Estate?

Thanks,
Rob

From: Mays, Ellis <EMays@benesch.com>
Sent: Monday, April 19, 2021 6:26 PM
To: Robert Lochmiller <rlochmiller@spokanevalley.org>; Mary R. Schroll <MRSCHROL@up.com>; Peggy J. Ygbuhay <pygbuhay@up.com>; Lisa M. Moreno <lmmoreno@upcontractor.up.com>
Cc: Gloria Mantz <gmantz@spokanevalley.org>; Morgan Bishop <morgan@csrow.com>; Jeff Morse <jmorse@spokanevalley.org>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Robert,

I apologize for the late response – I was on vacation last week when you left a voicemail. As Peggy stated we are still awaiting a draft agreement from UPRR Real Estate.

Thanks,

Ellis A. Mays |Project Manager

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From: Robert Lochmiller <rlochmiller@spokanevalley.org>
Sent: Monday, April 19, 2021 8:58 AM
To: Mays, Ellis <EMays@benesch.com>; Mary R. Schroll <MRSCHROL@up.com>; Peggy J. Ygbuhay <pygbuhay@up.com>; Lisa M. Moreno <lmmoreno@upcontractor.up.com>
Cc: Gloria Mantz <gmantz@spokanevalley.org>; Morgan Bishop <morgan@csrow.com>; Jeff Morse <jmorse@spokanevalley.org>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Good morning,

City is trying to get information on the status of the C&M agreement for the Barker Road project. Our last couple of emails and voice messages to Ellis have been unanswered, we are wondering if he is still assigned to the project?

Thanks,
Rob

From: Robert Lochmiller **On Behalf Of** 0313 - Barker Rd-Union Pacific Crossing
Sent: Thursday, April 1, 2021 7:53 AM
To: 'Mays, Ellis' <EMays@benesch.com>
Cc: Gloria Mantz <gmantz@spokanevalley.org>; Morgan Bishop <morgan@csrow.com>; Jeff Morse <jmorse@spokanevalley.org>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Ellis,

Any luck on getting a status on the C&M agreement? We are approaching 4 months since we approved the cost estimate, we were hoping to have it in place by now.

Thank you,

Rob

From: Mays, Ellis <EMays@benesch.com>
Sent: Tuesday, March 9, 2021 3:51 PM
To: Robert Lochmiller <rlochmiller@spokanevalley.org>
Cc: Gloria Mantz <gmantz@spokanevalley.org>; Morgan Bishop <morgan@csrow.com>; Jeff Morse <jmorse@spokanevalley.org>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Robert,

I have reached out to UPRR Real Estate (who handle these agreements) but I have not gotten a response. I will try to elevate the handling to the Manager Public Projects.

Thanks,

Ellis A. Mays |Project Manager

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402-427-4231 |Emays@benesch.com |www.benesch.com [linkprotect.cudasvc.com] [protect2.fireeye.com]

From: Robert Lochmiller <rlochmiller@spokanevalley.org>
Sent: Tuesday, March 9, 2021 3:31 PM
To: Mays, Ellis <EMays@benesch.com>
Cc: Gloria Mantz <gmantz@spokanevalley.org>; Morgan Bishop <morgan@csrow.com>; Jeff Morse <jmorse@spokanevalley.org>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Hi Ellis,

Can you please provide an update on the C&M agreement? We are worried that we will not be able to construct the project this year, if we don't have the agreement in place very soon.

Thanks,
Rob

From: Robert Lochmiller
Sent: Monday, March 1, 2021 8:16 AM
To: 'Mays, Ellis' <EMays@benesch.com>
Cc: Gloria Mantz <gmantz@spokanevalley.org>; Morgan Bishop <morgan@csrow.com>; Jeff Morse <jmorse@spokanevalley.org>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Hi Ellis,

Any update on the C&M Agreement?

Thanks,
Rob

From: Mays, Ellis <EMays@benesch.com>
Sent: Tuesday, February 16, 2021 2:47 PM
To: Robert Lochmiller <rlochmiller@spokanevalley.org>
Cc: Gloria Mantz <gmantz@spokanevalley.org>; Morgan Bishop <morgan@csrow.com>; Jeff Morse <jmorse@spokanevalley.org>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Rob,

Unfortunately I do not have an update regarding the agreement but I will check in with UPRR.

Regarding the utility conduit you must apply for a utility occupation permit: [UP: Utilities Installations \[up.com\]](#) [\[protect2.fireeye.com\]](#)

Thanks,

Ellis A. Mays |Project Manager

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402-427-4231 |Emays@benesch.com |www.benesch.com [[linkprotect.cudasvc.com](#)] [[protect2.fireeye.com](#)]

From: Robert Lochmiller <rlochmiller@spokanevalley.org>
Sent: Tuesday, February 16, 2021 2:21 PM
To: Mays, Ellis <EMays@benesch.com>
Cc: Gloria Mantz <gmantz@spokanevalley.org>; Morgan Bishop <morgan@csrow.com>; Mary R. Schroll <MRSCHROL@up.com>; Jeff Morse <jmorse@spokanevalley.org>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Hi Ellis,

Just checking in on the status of the C&M agreement?

We are also wanting to run a 2" conduit under the asphalt path, the length of the project, for future fiber for our traffic/IT system. Which would mean we will have to bore/jack it under the tracks. Can the C&M agreement cover this conduit or do we need to do something else for that (utility permit, etc)?

Thanks,
Rob

From: Mays, Ellis <EMays@benesch.com>
Sent: Monday, January 25, 2021 11:55 AM
To: Robert Lochmiller <rlochmiller@spokanevalley.org>
Cc: Gloria Mantz <gmantz@spokanevalley.org>; Morgan Bishop <morgan@csrow.com>; Mary R. Schroll <MRSCHROL@up.com>; Jeff Morse <jmorse@spokanevalley.org>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Robert,

We still do not have a draft agreement prepared yet and we are still a few weeks away from UPRR's goal of 3 months from approval of the estimate to a draft agreement. I will continue to look out for the agreement.

Regarding construction it is not possible for UPRR to order materials prior to the C&M agreement as the costs for those materials are covered in that agreement. That being said I think summer construction is still realistic – typically its about a 3 month lead time get materials on site.

Thanks,

Ellis A. Mays |Project Manager

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C402-427-4231 |Emays@benesch.com |W www.benesch.com |linkprotect.cudasvc.com |protect2.fireeye.com]

From: Robert Lochmiller <rlochmiller@spokanevalley.org>
Sent: Monday, January 25, 2021 9:01 AM
To: Mays, Ellis <EMays@benesch.com>
Cc: Gloria Mantz <gmantz@spokanevalley.org>; Morgan Bishop <morgan@csrow.com>; Mary R. Schroll <MRSCHROL@up.com>; Jeff Morse <jmorse@spokanevalley.org>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Hi Ellis,

Any news on the status of the C&M agreement?

We are also wondering the lead time for fabrication of any of the signal equipment. Is this a long lead time? If so, can this proceed prior to the C&M agreement? We are getting worried on trying to get the project out to bid, in order to make construction for this summer.

Thanks,
Rob

From: Mays, Ellis <EMays@benesch.com>
Sent: Monday, January 4, 2021 10:22 AM
To: Robert Lochmiller <rlochmiller@spokanevalley.org>; Jeff Morse <jmorse@spokanevalley.org>
Cc: Gloria Mantz <gmantz@spokanevalley.org>; Morgan Bishop <morgan@csrow.com>; Mary R. Schroll <MRSCHROL@up.com>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Rob,

Unfortunately, I do not see that it has been reviewed yet – typically it's a few month process after the estimates are developed and with the holiday season I would imagine we are still potentially a few weeks from having a draft C&M agreement.

Thanks,

Ellis A. Mays |Project Manager

Alfred Benesch & Company |3017 Douglas Blvd, Ste 300, Roseville, CA 95661
C402-427-4231 |Emays@benesch.com |W www.benesch.com |linkprotect.cudasvc.com |protect2.fireeye.com]

From: Robert Lochmiller <rlochmiller@spokanevalley.org>
Sent: Monday, January 4, 2021 9:56 AM
To: Mays, Ellis <EMays@benesch.com>; Jeff Morse <jmorse@spokanevalley.org>
Cc: Gloria Mantz <gmantz@spokanevalley.org>; Morgan Bishop <morgan@csrow.com>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Ellis,

Happy New Year, just checking to see if you heard back from UPRR on the draft C&M agreement. Is their Real Estate group good with our offer/appraisal of the permanent easement?

Thanks,
Rob

Robert Lochmiller, PE | Senior Engineer
10210 E. Sprague Avenue | Spokane Valley, WA 99206
(509) 720-5010 | rlochmiller@spokanevalley.org



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From: Mays, Ellis <EMays@benesch.com>
Sent: Wednesday, November 4, 2020 9:37 AM
To: Robert Lochmiller <rlochmiller@spokanevalley.org>; Jeff Morse <jmorse@spokanevalley.org>
Cc: Gloria Mantz <gmantz@spokanevalley.org>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Understood – we will continue to work towards that!

Thanks,

Ellis A. Mays |Project Manager

Alfred Benesch & Company | 3017 Douglas Blvd, Ste 300, Roseville, CA 95661
C402-427-4231 | Emays@benesch.com | [W www.benesch.com](http://www.benesch.com) [linkprotect.cudasvc.com] [linkprotect.cudasvc.com]
[\[protect2.fireeye.com\]](http://protect2.fireeye.com)

From: Robert Lochmiller <rlochmiller@spokanevalley.org>
Sent: Wednesday, November 4, 2020 9:28 AM
To: Mays, Ellis <EMays@benesch.com>; Jeff Morse <jmorse@spokanevalley.org>
Cc: Gloria Mantz <gmantz@spokanevalley.org>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Ellis,

It usually takes 4 to 5 weeks for FHWA to certify the ROW. With that, we would like to see the C&M agreement by the first week of January to review it. Then typically takes us two weeks to get Council approval, so our manager

could sign it.

Thanks,
Rob

From: Mays, Ellis <EMays@benesch.com>
Sent: Tuesday, October 27, 2020 5:41 PM
To: Robert Lochmiller <rlochmiller@spokanevalley.org>; Jeff Morse <jmorse@spokanevalley.org>
Cc: Gloria Mantz <gmantz@spokanevalley.org>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Rob,

How long will it take to certify after the agreement? What is the hard date for the City to have an agreement in their hands for review?

Thanks,

Ellis A. Mays |Project Manager

Alfred Benesch & Company |3017 Douglas Blvd, Ste 300, Roseville, CA 95661
C402-427-4231 |Emays@benesch.com|W www.benesch.com[\[linkprotect.cudasvc.com\]](http://linkprotect.cudasvc.com) [\[linkprotect.cudasvc.com\]](http://linkprotect.cudasvc.com)
[\[linkprotect.cudasvc.com\]](http://linkprotect.cudasvc.com) [\[protect2.fireeye.com\]](http://protect2.fireeye.com)

From: Robert Lochmiller <rlochmiller@spokanevalley.org>
Sent: Tuesday, October 27, 2020 4:26 PM
To: Mays, Ellis <EMays@benesch.com>; Jeff Morse <jmorse@spokanevalley.org>
Cc: Gloria Mantz <gmantz@spokanevalley.org>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Ellis,

City prefers to bid our projects in the winter season (Nov.-Feb), prior to the following construction season, for the best bid results. We like to advertise this project by February at the latest, for construction in Summer 2021. With federal funds on this project, we need the C&M agreement executed, so the feds can certify our right-of-way. Without right-of-way certification, the feds will not let us obligate the construction funds and we cannot proceed to bid advertisement.

Thanks,
Rob

From: Mays, Ellis <EMays@benesch.com>
Sent: Monday, October 26, 2020 5:38 PM
To: Jeff Morse <jmorse@spokanevalley.org>
Cc: Robert Lochmiller <rlochmiller@spokanevalley.org>; Gloria Mantz <gmantz@spokanevalley.org>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Jeff,

Can you remind me your optimal bid date? What's the date all contracts will be need to be executed?

Thanks,

Ellis A. Mays |Project Manager

Alfred Benesch & Company |3017 Douglas Blvd, Ste 300, Roseville, CA 95661
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From: Jeff Morse <jmorse@spokanevalley.org>
Sent: Monday, October 26, 2020 6:56 AM
To: Mays, Ellis <EMays@benesch.com>
Cc: Robert Lochmiller <rlochmiller@spokanevalley.org>; Gloria Mantz <gmantz@spokanevalley.org>
Subject: FW: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Ellis I have not heard back from you regarding the estimated time line for completion of the signal design. We are coming up on the end of the year fast and I am concerned about making our optimal bid time for the 2021 construction season.

Sincerely,

JEFF MORSE

Jeff Morse | Engineering Technician – CAD Administrator
10210 E. Sprague Avenue | Spokane Valley, WA 99206
Phone: (509) 720-5022 | jmorse@spokanevalley.org



From: Jeff Morse
Sent: Monday, October 19, 2020 2:35 PM
To: 'Mays, Ellis' <EMays@benesch.com>
Cc: Robert Lochmiller <rlochmiller@spokanevalley.org>; Gloria Mantz <gmantz@spokanevalley.org>; Mary R. Schroll <MRSCHROL@up.com>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Ellis

Thanks you for the information on what to expect next. Do you have a time line on when the design will be completed?

Thanks

JEFF MORSE

Jeff Morse | Engineering Technician – CAD Administrator
10210 E. Sprague Avenue | Spokane Valley, WA 99206
Phone: (509) 720-5022 | jmorse@spokanevalley.org



From: Mays, Ellis <EMays@benesch.com>
Sent: Monday, October 19, 2020 12:13 PM
To: Jeff Morse <jmorse@spokanevalley.org>
Cc: Robert Lochmiller <rlochmiller@spokanevalley.org>; Gloria Mantz <gmantz@spokanevalley.org>; Mary R. Schroll <MRSCHROL@up.com>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Jeff,

The estimate has not been completed yet, however, I can provide the after steps.

When the estimate is received I will create a project estimate which will include the signal estimate, surface estimate, flagging costs, and other construction related cost. Pending your approval of that estimate and the new annual signal maintenance free UPRR will draft the construction agreement for the city to review and execution.

Thanks,

Ellis A. Mays |Project Manager

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From: Jeff Morse <jmorse@spokanevalley.org>
Sent: Monday, October 19, 2020 11:17 AM
To: Mays, Ellis <EMays@benesch.com>
Cc: Robert Lochmiller <rlochmiller@spokanevalley.org>; Gloria Mantz <gmantz@spokanevalley.org>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Ellis

I hope all has been going well for you. I am checking the status of the signal design. It has been about 3 months since we finalized the layout around the tracks. What is the status of the design and if it is completed what is our next step?

Sincerely,

JEFF MORSE

Jeff Morse | Engineering Technician – CAD Administrator
10210 E. Sprague Avenue | Spokane Valley, WA 99206
Phone: (509) 720-5022 | jmorse@spokanevalley.org



From: Mays, Ellis <EMays@benesch.com>
Sent: Monday, September 28, 2020 11:58 AM
To: Jeff Morse <jmorse@spokanevalley.org>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Jeff,

I do not have an exact measurement of the process, however typical estimates are 3 months. I will let you know if I hear any new information.

Thanks,

Ellis A. Mays |Project Manager

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From: Jeff Morse <jmorse@spokanevalley.org>
Sent: Monday, September 28, 2020 11:50 AM
To: Mays, Ellis <EMays@benesch.com>
Cc: Robert Lochmiller <rlochmiller@spokanevalley.org>; Gloria Mantz <gmantz@spokanevalley.org>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Ellis

This email is in regards to the signal design. I am checking the status and to see if you have an ETA for the signal design.

Sincerely,

JEFF MORSE

Jeff Morse | Engineering Technician – CAD Administrator
10210 E. Sprague Avenue | Spokane Valley, WA 99206
Phone: (509) 720-5022 | jmorse@spokanevalley.org



From: Mays, Ellis <EMays@benesch.com>
Sent: Sunday, September 6, 2020 3:28 PM

To: Jeff Morse <jmorse@spokanevalley.org>

Cc: Robert Lochmiller <rlochmiller@spokanevalley.org>; Gloria Mantz <gmantz@spokanevalley.org>; Betty Young - Utilities and Transportation Commission (UTC)/Rail Safety (betty.young@utc.wa.gov) <betty.young@utc.wa.gov>; Turcott, Mike (UTC) <mike.turcott@utc.wa.gov>

Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Jeff,

I will pass this on to UPRR, however, it is typical that they do not sign until the agreement is circulating. I am hopeful that I will receive the signal estimate soon so that I can provide it to the city for concurrence and subsequently I can ask UPRR to draft that agreement.

Thanks,

Ellis A. Mays |Project Manager

Alfred Benesch & Company | 3017 Douglas Blvd, Ste 300, Roseville, CA 95661

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From: Jeff Morse <jmorse@spokanevalley.org>

Sent: Thursday, September 3, 2020 11:07 AM

To: Mays, Ellis <EMays@benesch.com>

Cc: Robert Lochmiller <rlochmiller@spokanevalley.org>; Gloria Mantz <gmantz@spokanevalley.org>; Betty Young - Utilities and Transportation Commission (UTC)/Rail Safety (betty.young@utc.wa.gov) <betty.young@utc.wa.gov>; Turcott, Mike (UTC) <mike.turcott@utc.wa.gov>

Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

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Ellis

Attached is the UTC petition document. Rob has signed for the City and I added the crossing exhibit for reference. Once Mary Schroll has signed, please return and I will forward onto Betty and Mike at UTC.

Thank you for your work on this project.

Sincerely,

JEFF MORSE

Jeff Morse | Engineering Technician – CAD Administrator
10210 E. Sprague Avenue | Spokane Valley, WA 99206
Phone: (509) 720-5022 | jmorse@spokanevalley.org



From: Mays, Ellis <EMays@benesch.com>
Sent: Thursday, September 3, 2020 7:14 AM
To: Jeff Morse <jmorse@spokanevalley.org>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Jeff,

Good catch – it should be 81 ft (10 panels) – that is how I requested the estimate.

Thanks,

Ellis A. Mays |Project Manager

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From: Jeff Morse <jmorse@spokanevalley.org>
Sent: Thursday, September 3, 2020 7:07 AM
To: Mays, Ellis <EMays@benesch.com>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Ellis

I just noticed the distance for the new crossing surface seems short. The plans dimension it at almost 81' and the description in section 7 is 64'. I will change to 81' unless you say otherwise.

Take Care.

JEFF MORSE

Jeff Morse | Engineering Technician – CAD Administrator
10210 E. Sprague Avenue | Spokane Valley, WA 99206
Phone: (509) 720-5022 | jmorse@spokanevalley.org



From: Mays, Ellis <EMays@benesch.com>
Sent: Wednesday, September 2, 2020 4:35 PM
To: Jeff Morse <jmorse@spokanevalley.org>
Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Jeff,

My intent was simply to provide the roadway configuration. It can probably be removed from the parenthesis. Other than that it looks good.

Thanks,

Ellis A. Mays |Project Manager

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From: Jeff Morse <jmorse@spokanevalley.org>

Sent: Wednesday, September 2, 2020 2:03 PM

To: Mays, Ellis <EMays@benesch.com>

Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

Ellis

Here is a snap shot of the narrative in Sections 6 and 7. I was a little confused about what you intended in Section 6 with regards to the travel lanes. I think I captured your intent. Please review and let me know.

Section 6 – Current Warning Devices

Provide a complete description of the warning devices currently located at the crossing (vehicle and pedestrian), including signs, gates, lights, train detection circuitry and any other warning devices.

One cantilever and one quad gate/flasher for each direction of travel. Southbound gate/flasher has side flashers for eastbound Euclid Avenue travel. (1 driving lane southbound and 1 driving lane northbound) Nine (9) flasher sets and two (2) bells total.

Two stop bars, two W10-1 approach signs, and two RR Xing pavement markings and W10-4 on the parallel roads, Euclid Avenue north and south sides of the tracks.

Section 7 – Description of Proposed Changes

Describe in detail the number and type of proposed automatic signals (vehicle and pedestrian), gates or other warning devices, and/or changes to train detection circuitry. Please describe any other proposed changes at the crossing, including changes to the crossing surface, signage, pavement markings, etc. If sidewalks are being installed, please provide information on who will maintain them. (Attach additional information sheets, if needed.)

One cantilever, and one quad gate/flasher for each direction of travel. Northbound cantilever provides flasher for both lanes. Southbound cantilever also has 2 sidelights for eastbound Euclid Avenue and westbound access road travel. (2 driving lanes northbound, 1 driving lane southbound and 1 multi-use path on east side to be maintained by City). Nine (9) flashers and three (3) bells total.

Two stop bars, two W10-1 approach signs, two W10-4 approach signs, two RR Xing pavement markings and other signage in accordance with the MUTCD.

Replace concrete crossing surface with new wider 64 ft concrete crossing surface in order to accommodate traffic lanes and multi-use path.

Thanks

JEFF MORSE

Jeff Morse | Engineering Technician – CAD Administrator
10210 E. Sprague Avenue | Spokane Valley, WA 99206
Phone: (509) 720-5022 | jmorse@spokanevalley.org



From: Mays, Ellis <EMays@benesch.com>

Sent: Wednesday, September 2, 2020 9:11 AM

To: Jeff Morse <jmorse@spokanevalley.org>

Subject: RE: 0313 Barker Rd UP crossing - Spokane Valley, WA, MP 0012.990, DOT 662526C

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