

Railroad-DOT Mitigation Strategies

Tools to better guide projects involving railroads and their rights-of-way

Each year construction of hundreds of public agency highway projects cross over, under, or parallel railroad rights-of-way, requiring extended coordination between these organizations. Although most go smoothly, delays in development or construction do occur. Railroads must carefully evaluate public transportation agency projects in terms of safety, engineering, and operational impacts both during construction and for decades later. For the public agencies, delays while waiting on railroad reviews and agreements can increase project costs and extend renewal needs for users.

Model agreements to improve coordination between transportation agencies and railroads

The Solution

By using the model agreements, sample contracts, training materials, and standardized best practices developed through the second Strategic Highway Research Program (SHRP2), **public agencies and railroads can identify and circumvent sources of conflict and develop agreements to advance projects.** The tools reflect both railroad and public agency perspectives, processes, budgets and funding, and acknowledged best practices.

The report, *Strategies for Improving the Project Agreement Process Between Highway Agencies and Railroads*, outlines recommended practices and offers eight different model documents to expedite negotiations. They include:

- ▶ **Partnering Memorandum of Understanding** – a nonbinding agreement that can drive development of shared understandings, vocabulary, and definition of success, as well as expected performance.
- ▶ **Master Project Agreement** – a legally binding agreement with “boilerplate” provisions that both parties can incorporate by reference into all following agreements. It also lays out funding responsibilities in partnering, particularly how the public agency will compensate the railroad for required reviews and related activities, a common source of conflict.
- ▶ **Preliminary Engineering Agreement** – brief project details can be inserted into this standard preliminary engineering (PE) agreement to quickly authorize engineering reviews by the railroad, and expedite PE for the public agency.

Streamlining public agency and railroad coordination through model agreements and best practices

FOCUS AREA:
Renewal (R16)

Model legal agreements, recommended practices, sample contracts, and training materials to resolve underlying sources of conflicts and streamline review and agreement processes

Save Lives

- Standardized design requirements deliver safer projects for railroad and highway users.
- Standardized construction zone requirements result in safer work zones.



Save Money

- Fewer project delays reduce project costs.
- Better coordinated projects help prevent potential conflicts and required rework.



Save Time

- Better coordination moves projects forward more smoothly.
- Streamlined agreements and engineering reviews help prevent delays.



- ▶ **Resurfacing Agreements** – two model agreements, one for federally funded projects and one for state-funded projects, that reflect the common needs of public agencies and railroads when resurfacing highway sections at railroad crossings, including railroad-specific issues and solutions to deliver the necessary smooth transitions to the adjacent pavement sections.
- ▶ **Highway Overpass Agreement** – a standard agreement with provisions that reflect safety and operational requirements critical to this type of project.
- ▶ **Warning Devices Agreement** – a standard agreement specific to projects involving installation, maintenance, improvements, and replacement of warning devices such as gates and lights.
- ▶ **Pipe and Wire Agreement** – a type of agreement required for installation, construction, or maintenance of drainage pipes, pipelines, utility lines, and other linear structures that intersect a railway. The frequency of pipe and wire projects has led to standardized agreements and approaches to construction and maintenance.

Training materials for both the recommended practices and the model agreements/sample contracts are also available.

The Benefits

With significant growth projected for railroad volumes now and in the future, pressures for more project coordination activity will continue to increase. **Cementing mutual understanding and streamlining the processes involved will save money and time for both railroads and public agencies.** In turn, road users will see the positive results of more rapid highway renewal on facilities and budget. The model agreements also lay out standardized construction and operational needs—enhancing safety for workers and reducing delays for users.

Who will benefit?

- ▶ State and local public agencies
- ▶ Railroads
- ▶ Project Managers
- ▶ Contractors
- ▶ Designers
- ▶ Taxpayers

Who is using these tools?

Arkansas, California, Colorado, Delaware, District of Columbia, Florida, Idaho, Kentucky, New York, North Carolina, Oregon, Pennsylvania, South Dakota, Texas, Utah, and Virginia are implementing *Railroad-DOT Mitigation Strategies* as part of the FHWA/AASHTO Implementation Assistance Program.

How can you learn more?

Updates on current implementation efforts can be found at www.fhwa.dot.gov/GoSHRP2 or <http://SHRP2.transportation.org>. For helpful tools and information, visit: http://shrp2.transportation.org/Pages/R16_RailroadDOTMitigationStrategies.aspx. The full report and model agreements are available online and from the TRB Bookstore at www.trb.org/Publications/Blurbs/164283.aspx. For more information, contact Joe Taylor at FHWA, joseph.taylor@dot.gov; Kate Kurgan at AASHTO, kkurgan@aaashto.org; or Pam Hutton at AASHTO, phutton@aaashto.org.



About SHRP2 Implementation

The second Strategic Highway Research Program is a national partnership of key transportation organizations: the Federal Highway Administration, the American Association of State Highway and Transportation Officials, and the Transportation Research Board. Together, these partners conduct research and deploy products that will help the transportation community enhance the productivity, boost the efficiency, increase the safety, and improve the reliability of the Nation's highway system.

Strategic Highway Research Program

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