Railroad-DOT Mitigation Strategies (R16)
An Overview

March 2016
Agenda

• Railroad-DOT Mitigation Strategies
  – Key Issues
  – Product description – How It Works
  – Examples of Railroad-DOT Innovations
  – Benefits
  – States currently implementing Railroad-DOT Strategies

• Why bother trying?
• Available technical assistance
• Resources
Railroad-DOT Mitigation Strategies – Key Issues

Challenge
Railroad-DOT interaction requires a thorough review of the safety, engineering, and the operational impacts of a roadway project during construction – since it will have lasting effect on the railroad for decades thereafter. Rapid highway construction goals require a new approach that eases the project agreement process for both industries.

Solution
Recommended practices, model agreements, and training materials to help resolve potential conflicts.
How It Works

Uses a collaborative approach to address challenges associated with expediting highway and railway projects.

1. Identify the challenges.
   • Develop solutions to address them – (Product innovations).

2. Develop effective strategies for dissemination and nationwide adoption.

3. Develop tools to train and institutionalize these innovative strategies.
   • Provide additional resources and opportunities for continued collaboration.
Railroad-DOT Objectives

**Phase 1**
- Identify strategies and institutional arrangements.
- Research and develop innovative partnering techniques.
- Identify barriers that impact effectiveness and propose remedies.
- Develop draft model agreements and streamlined processes.

**Phases 2 and 3**
- Conduct outreach and buy-in.
- Create a community of interest.
- Build an environment of partnering.
- Engage the community to facilitate widespread adoption.
- Create champion pairs (DOT-RR).
- Develop tools to institutionalize the use of the R16 products.
- Provide access to resources.

**Collaboration and participation by both parties.**
Research-Based Approach

• Volpe report
  – Coordination with railroads to facilitate acquisition of Right of Way (ROW)

• Key issues:
  – Indemnification
  – Standard agreements
  – Plan reviews
  – Environmental risk and fees

• Solution

Source: Stan Lims, The Press-Enterprise
Available Materials

• Best practices and streamlined processes
  Facilitates beneficial relationships between railroads and public transportation agencies
    – Institutional arrangements
    – Innovative partnering techniques
    – Approaches to ensure collaboration

• Standardized (Master) agreements
Processes

• Streamlined internal and external coordination
• Single point of first contact and coordination
• Dedicated railroad project managers
• Formal agreed upon points of concurrence
• Formal project management
• Meetings
  – Annual
  – Pre-construction
  – Post-construction
• The 3Cs—frequent communication
More Examples

Processes (cont.)
• Process manual
• Standardized crossing improvement contract process
• Streamlining flagging process
• Expediting right-of-way access
• Streamlined agreement processing
• Escalation process to expedite issues
• Partnering processes
• Electronic workflow agreement process

Agreements
• Standardized (Master) agreements
• Partnering Memorandum of Understanding
Benefits of Using Railroad-DOT Mitigation Strategies

- Expedited project delivery
- Better management of limited resources
- Improve communication, cooperation, collaboration
- Streamlined processes
- Transparency
- Improved quality
- Win-win solution
- Less risk!
Accelerating Adoption
Solutions and Support Tools

Michael Loehr, PE
CH2M
Why Bother Trying?

• Federal focus and funding under the FAST Act for freight rail projects.
• The status quo in some areas is undesirable and expensive in both time and dollars.
• Some DOTs have seen the benefits from improved relationships with the freight railroads.
• Railroads are working more collaboratively than in the past.
Some Examples of Successes

• **Flagging Agreement** (saving $200,000 annually)
• **Master Developmental Agreement** (reduced time to half)
• **Master Agreement** – CSX and Kentucky
• **NCDOT** – more than $500 million in projects between:
  – Master Right of Entry Agreement
  – Master Traffic Control Devices Agreement
  – Individual Agreement for Closures CSX and NS
  – Master Preliminary Engineering Agreement
  – Master Construction & Maintenance Agreement
Some Examples of Successes (cont.)

• **Risk Mitigation**: proactive escalation (BNSF and WSDOT).

• **Landslide Mitigation Group**: full partnership with local agencies and BNSF.

• **Master Right of Entry** (ten days versus months).

• **Partnering Memorandum of Understanding** (agreed-upon list of streamlined processes).

• **Grade crossing best practices** (extends life 3 to 13 years).

• **Routine project improvements** (75 fewer agreements needed to implement ‘standard’ projects).
Standard Resources (Products)

• Best Practices
  – Improved project consistency
  – Reduced paperwork

• Model Agreements
  – Key Terms
  – Streamlined processes

• Training Syllabus
  – Improved understanding
Technical Assistance

What issues can be addressed?

- Section 130 Grade Crossing Improvements
- Coordination on DOT bridges over Railroads
- Coordination on RR Bridges over Highways
- Capital improvements for Freight or Passenger Service
- Better Master Agreements
- Understanding why the railroad(s) are so darned _______ to work with
- Or something else entirely….  


Technical Assistance

- Facilitated Workshops
- Peer Interviews
- Contract negotiations support
- Technical support
- Training
Implementation Activities

• **Facilitated Workshops** – Arkansas, PennDOT and SDDOT

• **Peer Interviews** – PennDOT

• **Technical support** – Scope Development for PennDOT

• **Financial support** – Colorado DOT, developing agreements with UPRR and BNSF and an overall project workflow process
For More Information

Joseph Taylor
FHWA R16 Product Lead
(410) 779-7146
Joseph.Taylor@dot.gov

Keith Platte
(202) 624-3697
AASHTO R16 Lead
Kplatte@aashto.org

www.fhwa.dot.gov/GoSHRP2
http://shrp2.transportation.org
✉️ goSHRP2@dot.gov