

## ATTACHMENT 2

### STATEMENT OF WORK

**Oklahoma Department of Transportation  
ODOT Occupied Crossing Mitigation Project  
Railroad Crossing Elimination Program FY22**

#### I. AUTHORITY

<b>Authorization</b>	49 U.S.C. § 22909
<b>Funding Authority/Appropriation</b>	Section 22305 of the Infrastructure Investment and Jobs Act (IIJA) (Pub. L. 117-58, November 15, 2021)
<b>Notice of Funding Opportunity</b>	Notice of Funding Opportunity for the Railroad Crossing Elimination Program for Fiscal Year 2022, 87 FR 40335, Vol. 87, No. 128, 6 July 2022

#### II. BACKGROUND

This Agreement funds the Grantee to support the deployment of ODOT Occupied Crossing Mitigation Project. To the extent there is a conflict between Attachment 1 and this Attachment 2, Attachment 1 governs.

The City of Davis has long dealt with the issue of blocked railroad crossings. The railroad tracks run directly through the middle of the city support both BNSF freight trains and Amtrak's Heartland Flyer passenger service creating delays and congestion for motorists and pedestrians throughout the city whenever a train blocks a railroad crossing. On December 6, 2019, for example, a BNSF freight train blocked all three railroad crossings within the Davis city limits for more than three hours. Blocked railroad crossings are a persistent problem that negatively affectively the quality of life, economic vitality, and safety for residents of Davis.

Blocked railroad crossings are a problem for all highway users, but they can be a particularly serious problem for emergency responders within the City of Davis. The city's Police Department and Fire Department are located east of the railroad tracks which bisect the community. As a result, emergency service vehicles in Davis can take almost 37 minutes to reach sites two-and-a-half blocks away because of a blocked crossing forcing them onto alternative routes. In another instance, it took the Davis Police Department about 20 minutes to respond to a person who was threatening suicide, even though the person was less than 3 blocks from the local police station since all three railroad crossings in town were blocked by a stopped a BNSF freight train. Emergency responders (emergency medical services, fire, and police) need to reach their destinations as quickly as possible and often times that path is impeded for first

responders in Davis. An ambulance racing to a heart attack victim or an automobile accident may be delayed only a few minutes by a passing train, but even a few minutes is a very long time in an emergency. A fire engine forced to take another route because of a stopped train may arrive at a fire too late to prevent significant damage or even deaths or injuries. Delayed police response can lessen the chance to apprehend a criminal or prevent a more serious crime.

Persistent blocked crossings have also caused residents to take more risks with crossings, increasing the chances for collisions with trains and jeopardizing the safety of both the motorist and those on the rail. For example, a resident of Davis told the police department that she drove around cones at a coned-off crossing because the Main Street crossing was blocked. The FRA has explained that blocked crossings are a rail safety issue based on similar facts. It has cited pedestrians crawling under or through trains, emergency vehicles being delayed, and drivers driving around closed gates or racing to beat trains to avoid lengthy delays. In 2017, a motorist was killed at a blocked railroad crossing in the city as she was drove around crossing gates and was struck by a northbound Heartland Flyer train. Three years prior, a freight train struck a tractor-trailer killing the driver at the same railroad crossing in Davis.

### **III. OBJECTIVE**

The ODOT Occupied Crossing Mitigation Project improvements consist of closing at-grade crossing locations at Atlanta Avenue and Hanover Road and will remove siding from Benton Avenue and Main Street (SH 7). Additional siding and industry operations will be relocated south of Hanover Road by providing slightly less than two miles of new siding to reduce the impact of loading trains occupying multiple crossings in the City. The project will also consider safety improvements at Benton Avenue, Main Street and Haliburton Road at-grade crossings to support safe and reliable movements of goods, people and services. By relocating industry operations south of Main Street, the community can be reconnected and allow efficient access for emergency services, local business opportunities and allow tourists to safely enjoy parks/recreation and significant historical markers around the area.

### **IV. PROJECT LOCATION**

The project is located within the City of Davis, Oklahoma and just outside the city limits in unincorporated Murray County, Oklahoma. The five railroad crossings affected by this project are located on the BNSF rail line between railroad milepost 475.380 and 478.129. Three of the five railroad crossings affected by this project are located within the City of Davis while the crossings at Hanover Road (020739P) and Haliburton Road/County Road N-3310 (020735M) are located in unincorporated Murray County. The project will include the construction of approximately 9,920 feet of track siding to the south and remove 4,170 feet of existing siding from Benton Avenue (020742X) and Main Street (020741R). The project will also see the closure of two at-grade railroad crossings along the BNSF railroad line at Atlanta Avenue (020740J) and Hanover Road (020739P). The project is located within Oklahoma's 4th Congressional District.

BNSF Railway and Amtrak operate trains on the rail line running through Davis. BNSF operates and maintains the railroad line in Davis as part of its Red Rock Subdivision. According to BNSF

provided data, an average of 33 freight trains pass through Davis per day. Amtrak operates the Heartland Flyer operates on BNSF-owned tracks between Oklahoma City and Fort Worth, Texas daily. In 2019, nearly 68,000 passengers used the Heartland Flyer service with an average trip being 175 miles. The City of Davis is one of two new stations under consideration for the Heartland Flyer route with the other being Krum, Texas.

#### **IV. DESCRIPTION OF WORK**

##### **Task 1: Detailed Project Work Plan, Budget, and Schedule**

The Grantee will prepare a Detailed Project Work Plan, Budget, and Schedule for the following tasks, which may result in amendments to this Agreement. The Detailed Project Budget will be consistent with the Approved Project Budget but will provide a greater level of detail. The Detailed Project Work Plan will describe, in detail, the activities and steps necessary to complete the tasks outlined in this Statement of Work. The Detailed Project Work Plan will also include information about the project management approach (including team organization, team decision-making, roles and responsibilities and interaction with FRA), as well as address quality assurance and quality control procedures. In addition, the Detailed Project Work Plan will include the Project Schedule (with Grantee and agency review durations), a detailed Project Budget, [*and the environmental class of action.*] Similarly, agreements governing the construction, operation and maintenance of the Project should also be included. The Detailed Project Work Plan, Budget, and Schedule will be reviewed and approved by the FRA.

The Grantee acknowledges that work on subsequent tasks will not commence until the Detailed Project Work Plan, Budget, and Schedule has been completed, submitted to FRA, and the Grantee has received approval in writing from FRA, unless such work is permitted by pre-award authority provided by FRA. The FRA will not reimburse the Grantee for costs incurred in contravention of this requirement.

##### **Task 1 Deliverables:**

- Detailed Project Work Plan, Budget, and Schedule
- Project Agreements (if applicable)

##### **Task 2: Project Design and Support Services**

Utilizing Task 1 deliverables, Task 2 works to acquire and analyze the necessary information to construct the desired improvements. Design support for the new siding and crossing closures are detailed in accordance with FRA and ODOT standards and specifications relating to site survey data, geotechnical and soils analysis, hydrologic and environmental assessments. A full set of completed design plans will be provided as the primary deliverable for Task 2 and will be used for development of Task 3.

##### **Task 2 Deliverables:**

- Survey Information
- Geotechnical Analysis

- Environmental Assessment
- Hydrology Assessment
- Project Design, Plans and Specifications

### **Task 3: Construction Bid Proposal and Award**

Task 3 included preparation of a bid proposal, engineering consultant consideration and award. A negotiated schedule and fee for work performed will be documented.

#### **Task 3 Deliverables:**

- Final Proposal
- Project bid, award, and selection of engineering design consultant

### **Task 4: Utility Relocations**

Successful utility relocation begins with early and frequent communication. Communication of potential conflicts observed by surveyors or site managers create the necessary material for tracking and creating resolutions through spreadsheets and basemaps with points detailing potential conflicts. The project owner and utility providers will also develop a schedule to ensure the overall project is meeting deadlines to ensure the desired modifications can be properly constructed.

#### **Task 4 Deliverables:**

- Utility coordination and agreements (if applicable)
- Utility workplan, site visit summary and preparation
- Progress reports

### **Task 5: Project Construction**

Task 5 begins the implementation phase of the design and utility coordination. Ongoing communication between the project owner, contractor and utility providers is essential throughout all phases of construction. A construction schedule and updated project costs (if applicable) are communicated with ODOT staff and consistently reviewed in order to meet deadlines.

#### **Task 5 Deliverables:**

- Project as-builts, schedules and agreements
- Project Construction Progress Reports

### **Task 6: Railroad Track and Signal Operations Finalization**

Task 6 is the final task that implements the new railroad siding and railroad crossing signal activation. A Final Performance Report will be submitted within 90 days of the end of the grant's period of performance and should describe the cumulative activities of the project, including a

complete description of the Grantee's achievements with respect to the project objectives and milestones.

**Task 6 Deliverables:**

- Final Performance Report (the final deliverable listed in the "description of work" section of the SOW must be the Final Performance Report. This report must be submitted within 90 days of the end of the grant's period of performance and should describe the cumulative activities of the project, including a complete description of the Grantee's achievements with respect to the project objectives and milestones)

**V. PROJECT COORDINATION**

The Grantee shall perform all tasks required for the Project through a coordinated process, which will involve affected railroad owners, operators, and funding partners, including:

- City of Davis, Oklahoma
- Murray County, Oklahoma
- BNSF Railway
- FRA

**VI. PROJECT MANAGEMENT**

The Grantee is responsible for facilitating the coordination of all activities necessary for implementation of the Project. Upon award of the Project, the Grantee will monitor and evaluate the Project's progress through regular meetings scheduled throughout the Project Performance Period. The Applicant/Grantee will:

- Participate in a project kickoff meeting with FRA
- Complete necessary steps to hire a qualified consultant/contractor to perform required Project work
- Hold regularly scheduled Project meetings with FRA
- Inspect and approve work as it is completed
- Review and approve invoices as appropriate for completed work
- Perform Project close-out audit to ensure contractual compliance and issue close-out report
- Submit to FRA all required Project deliverables and documentation on-time and according to schedule, including periodic receipts and invoices
- Comply with all FRA Project reporting requirements, including, but not limited to:
  - a. Status of project by task breakdown and percent complete
  - b. Changes and reason for changes in and updated versions of Detailed Project Work Plan, Budget, and Schedule

- c. Description of unanticipated problems and any resolution since the immediately preceding progress report
  - d. Summary of work scheduled for the next progress period
- Read and understand the Terms and Conditions of this Agreement (Attachment 1)
- Notify FRA of changes to this Agreement that require written approval or modification to the Agreement