

ATTACHMENT 3

ATTACHMENT 3 STATEMENT OF WORK

I. BACKGROUND

The [project name] Project is located on the [name] railroad corridor (the Corridor), which currently hosts [number] daily passenger train round trips. The Corridor is owned by the [name] Railroad (XX).

On [insert Date of NOFA such as: June 23, 2009], the Federal Railroad Administration (FRA) issued a Noticed of Funding Availability (NOFA) in the Federal Register for the High Speed Intercity Passenger Rail (HSIPR) Program. In response, the [state] Department of Transportation ([name – XXDOT] or Grantee) submitted an application for [project name]. FRA reviewed Grantee's application for eligibility and ranking with the criteria outlined in the NOFA. On the basis of this evaluation, the USDOT Secretary of Transportation selected the State of [name] for an award, through a cooperative agreement between FRA and the Grantee, of \$[amount] for the Project.

For the purposes of this statement of work, the term "Project" means the completion of preliminary engineering (PE) and environmental review of [project name]. Also for the purposes of this SOW, the term "Construction Project" means final design and construction work activities for the [project name].

II. GENERAL OBJECTIVE

The objective of this Grant/Cooperative Agreement is for the Grantee to complete PE and the environmental review resulting in the required documentation and approvals to support final design and construction of [project name].

The Construction Project will consist of the following: *[Describe the Construction Project components in bullets for example: repair and rehabilitate station or bridge; replace existing bridge; rehabilitate track; construct new track; install turnouts or crossovers; replace signals; extend platform; etc.]*

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Completion of the [project name] Construction Project will result in improved [type of benefit/outcome – this may be ADA accessibility, state of good repair, congestion relief, service reliability, etc.] for intercity passenger rail service on the Corridor.

III. PROJECT LOCATION

The Project is located at [insert name of location], [describe where it is] on the [insert name of rail line] rail line.

IV. DESCRIPTION OF WORK

Task 1: Detailed Project Work Plan

For this initial task, the Grantee will prepare a detailed Project Work Plan for Tasks 2, 3, and 4. The project work plan will describe, in detail, the activities and steps necessary to complete these tasks outlined in this statement of work. The work plan shall also include information about the project management approach including team organization, team decision-making, roles and responsibilities and interaction with FRA. In addition, the work plan will include the project schedule, and a detailed project budget and an environmental class of action recommendation memorandum. If the Grantee needs to secure an agreement with the host railroad to access the railroad's property and perform the PE and/or environmental work, the executed agreement should be included with the detailed work plan. The work plan shall identify studies to be conducted as part of the environmental review and evaluation process for the Construction Project. The Project work plan will be reviewed and approved by the FRA.

The Grantee acknowledges that work on Tasks 2, 3 and 4 will not commence until the detailed work plan has been completed and submitted to FRA and approval received in writing. FRA will not reimburse the Grantee for costs incurred in contravention of this requirement.

Task 2: Conceptual Design

The Grantee shall complete sufficient conceptual design of the Construction Project to support the preparation of the environmental impact statement. The conceptual design will be further refined in Task 4 Preliminary Engineering, and shall be conducted consistent with expectations for Task 4.

Task 3: Environmental Review

The Grantee will complete FRA-approved environmental assessment (EA) or environmental impact statement (EIS) for the Construction Project. The final determination of the appropriate class of action and the Project's environmental impact will be made by FRA. The Grantee will prepare an EA or EIS and complete necessary studies and documentation in accordance with FRA's *Procedures for the Consideration of Environmental Impacts* (effective May 26, 1999) (Environmental Procedures).

The Grantee will initially evaluate the project with the use of qualified environmental professionals for its potential for impact, including conducting a review of existing literature, contacting relevant agencies and performing field reconnaissance. The Grantee will then document the findings and submit a class of action recommendation for FRA review with the Project work plan. FRA will decide if an EA is appropriate for this Construction Project, or if an EIS is required.

In either case, the Grantee will conduct Construction Project scoping to determine the key issues and needed studies in accordance with FRA's Environmental Procedures and potential effects of the action and if determined appropriate in consultation with FRA, develop a public involvement plan that identifies key contacts within agencies, the news media, public officials, the general

public, civic and business groups, relevant interest groups, present and potential riders/users, and private service providers/shippers. This plan will also identify how public involvement activities will be linked to key milestones in the planning/engineering and environmental process. The Grantee, in coordination with the FRA, shall prepare the EA or EIS to include, but is not limited to, the following: definition of the Project and existing conditions, identification of the purpose of and need for the Project, identification and analysis of project build alternatives and a no-action alternative, and an analysis of existing conditions in comparison to the impacts of the proposed action and alternatives. The Grantee will follow FRA direction in the preparation of the EIS including submission of administrative draft environmental documents for FRA for review and comment. The Grantee will circulate the draft environmental document for public and agency review and comment in accordance with FRA's Environmental Procedures and prepare a final environmental document and a draft decision document. In addition, the Grantee is responsible for identifying all necessary mitigation and permits required for the Construction Project's implementation.

Task 4: Preliminary Engineering (30% Design)

The Grantee shall complete Preliminary Engineering (PE) (30% design) for FRA review and approval to support the Construction Project. PE will consist of the preparation of all design development and Construction Project delivery documentation necessary to demonstrate the effectiveness, feasibility and readiness of the Construction Project. The Grantee will prepare a train performance modeling report for the existing and proposed configuration. The following documentation will be prepared to accompany the design and specifications:

a. Preliminary Track and Signal Design and Specifications (30% Level):

The Grantee will prepare track and signal designs and specifications for the Project at a level of detail adequate to demonstrate the feasibility of the proposed design and its appropriateness for fulfilling the Project's objectives. The minimum requirements for preliminary track and signal design and specifications are listed below.

- The Grantee will provide scale maps or scale aerial photography of existing conditions at a scale of one inch = 100 to 500 feet depending on complexity of location.
- The Grantee will prepare design plan drawings overlaid on maps/photography showing existing right-of-way limits along with railroad ownership; proposed track changes including removals and installations; track centers, track speeds, turnout sizes curve and spiral data; vertical profiles and grades of existing and proposed construction; typical cross sections to scale showing the proposed work to existing conditions for each change in track configuration and at other locations requiring retaining walls or right-of-way acquisitions; public and private at-grade crossings; passenger stations, building(s), platforms, parking, access to primary highway system in the area, and public transit services and facilities.
- For complex or dense track configurations, the Grantee will prepare drawings of existing and proposed signal design prepared as part of PE, and the drawings will include route and aspect charts, preliminary block design, and signal equipment locations.

- The Grantee will obtain signature approval of the preliminary engineering cover sheet by all stakeholders impacted by the proposed track configuration and signal plan.

b. Construction Project Cost Estimate:

The Grantee will prepare a Construction Project cost estimate consistent with the design and specifications. The minimum requirements for this cost estimate are listed below.

- The Construction Project cost estimate will be presented in a format approved by FRA and will encompass all costs that the Grantee anticipates will be incurred to implement the Construction Project following completion of PE (including all final design and construction costs).
- The Construction Project cost estimate will incorporate an appropriate allowance for cost risk and uncertainty associated with the Construction Project commensurate with its stage of development through inclusion of a cost contingency.

c. Financial Planning Documentation:

The Grantee will prepare financial planning documentation demonstrating how the implementation of the Construction Project will be financed following completion of PE. Based on the Construction Project cost estimate, the minimum requirements for the financial planning documentation are listed below.

- A cost-loaded schedule depicting the cash outflow forecast for the Construction Project by calendar quarter, in both base year and “year of expenditure” (i.e., inflation-adjusted “nominal”) dollars.
- A description of the inflation assumptions used to arrive at the year of expenditure values.
- A description of the degree to which funding for the implementation of the Construction Project has been committed and a description of the risks associated with the availability of the other sources of funding.
- A description of other financing risks associated with the Construction Project, including cost risks represented in the cost estimate and schedule risks represented in the schedule.
- A description of the Grantee’s plan for financing any cost overruns, including addressing the availability of the sources of funding that may be used to finance overruns.
- A description of how operating and maintenance costs of the Construction Project will be financed.

d. Construction Project Implementation Schedule:

The Grantee will prepare a Construction Project implementation schedule consistent with the preliminary track and signal design and specifications. The minimum requirements for the Construction Project implementation schedule are listed below.

- The Construction Project implementation schedule, including final design, will be presented in a format approved by FRA.
- The Construction Project implementation schedule will incorporate an appropriate allowance for Construction Project schedule risk, whether through inclusion of schedule contingency or through another method approved by FRA.

e. Construction Project Benefits Estimate:

The Grantee will estimate the type and magnitude of benefits to intercity passenger rail service and other benefits that will result from the Construction Project.

f. Project Management Documentation:

The Grantee will prepare Construction Project management documentation for the implementation of the Construction Project following completion of PE. The Construction Project management documentation will address the following minimum requirements:

- Identify the stakeholders involved in the Construction Project’s implementation and describe their respective roles, responsibilities, capabilities, capacities, and mechanisms through which these parties will interact with one another.
- Demonstrate that the Grantee has the adequate staff organization with well-defined reporting relationships, statements of functional responsibilities, job descriptions, and job qualifications.

V. **PROJECT SCHEDULE AND DELIVERABLES**

The period of performance for all work will be approximately [*number*] months, from [*month/year*], to [*month/year*]. The deliverables associated with this Grant/Cooperative Agreement are listed below. The Grantee will achieve these deliverables to be authorized for funding of Project components and for the Project to be considered complete.

Deliverable
Task 1: Detailed Work Plan
<ul style="list-style-type: none"> ▪ Detailed Work Plan, Budget, Schedule, and Class of Action Recommendation Memorandum
Task 2 Conceptual Design
<ul style="list-style-type: none"> ▪ Conceptual Design Drawings
Task 3: Environmental Review Documents
<ul style="list-style-type: none"> ▪ Administrative Draft EA/EIS
<ul style="list-style-type: none"> ▪ EA/Draft EIS
<ul style="list-style-type: none"> ▪ Administrative FONSI/Final EIS
<ul style="list-style-type: none"> ▪ Draft record of Decision (if applicable)
Task 4: Preliminary Engineering

▪ As-Is Survey
▪ Complete PE Drawings, Specifications and Modeling Report.
▪ Construction Project Cost Estimate
▪ Financial Planning Documentation
▪ Construction Project Implementation Schedule
▪ Construction Project Benefits Estimate
▪ Construction Project Management Documentation

VI. PROJECT ESTIMATE/BUDGET

The total estimated cost of the Project is \$[amount], for which the FRA grant will contribute up to [percent amount]% of the total cost, not to exceed \$[amount]. Any additional expense required beyond that provided in this grant to complete the Project shall be borne by the Grantee.

Project Estimate by Task

Task 1: Detailed Work Plan, Budget, and Agreement	\$ X,000
Task 2: Conceptual Design	\$ XX,000
Task 3: Environmental Review	\$ XX,000
<u>Task 4: Preliminary Engineering</u>	<u>\$ XX,000</u>
Total Project Cost:	\$ <u>XX,000</u>

Project Estimate Contributions

FRA Grant	(XX% of project cost):	\$ <u>XX,000</u>
<u>Grantee Contribution</u>	<u>(XX% of project cost):</u>	<u>\$ XX,000</u>
Total Project Cost:		\$ <u>XX,000</u>

The Grantee will prepare the detailed Project budget as outlined in Task 1 which when approved by FRA will constitute the Approved Project Budget. Revisions to the Approved Project Budget shall be made in compliance with Attachment 2, section 4 of the Cooperative Agreement.

VII. 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:

- [list parties other than the Grantee]
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- FRA

VIII. 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 progress meetings scheduled throughout the Project's duration. The Grantee will:

- Complete necessary tasks to hire a qualified consultant/contractor to perform required PE and/or environmental 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
- Periodically submit required Project documents, including receipts and invoices, to FRA
- Comply with all FRA Project reporting requirements.