

STATEMENT OF WORK

[insert applicant/grantee name]

[insert project name]

FY14 Grant Application Solicitation – Grade Crossing Improvement Projects

I. BACKGROUND

Instructions: The “Background” section of the SOW is intended to provide a consistent frame of reference to the applicable solicitation and funding source of all grants/cooperative agreements awarded funding by the FRA. This section also provides high-level overview information regarding the project and applicant/grantee.

On July XX, 2014, the Federal Railroad Administration (FRA) issued a Noticed of Funding Availability (NOFA) in the Federal Register soliciting applications for grade crossing improvement projects related to intercity passenger rail service. The appropriations authority to fund the grade crossing improvement projects under this solicitation was provided by Congress over a period of several years, most recently the FY14 Omnibus Appropriations Act. Additional unobligated funds appropriated in FY08, FY09, and FY10 under the FRA’s High-Speed Intercity Passenger Rail (HSIPR) Program were also made available under the NOFA for grade crossing improvement projects.

In response to the NOFA, the [insert applicant/grantee name] (the “Grantee”) submitted an application for [insert project name] (the “Project”). The FRA reviewed the Grantee’s application against the eligibility, evaluation, and selection criteria outlined in the NOFA. On the basis of this evaluation, the FRA selected the [insert applicant/grantee name] for an award, through a cooperative agreement between FRA and the Grantee, of \$[insert amount] for the Project. The funding awarded by FRA for the Project is from the [insert funding source].

The applicant/grantee should provide no more than two additional paragraphs capturing the following information: a brief statement regarding the purpose of the grade crossing improvement, the transportation challenge the project aims to address, any other Federal funding committed to the grade crossing improvement project, and any other projects in the vicinity related to the delivery or benefits/outcomes of the project.

II. OBJECTIVE

Instructions: The “Objective” section of the SOW is intended to provide a clear description of the work that will be accomplished under the grant/cooperative agreement.

The objective of this Grant/Cooperative Agreement is for the Grantee to [insert a brief description of the project that will result from the proposed scope of work, this should include corrective actions from any modal hazard analyses].

The Project will consist of the following: [Describe the project components in bullets, for example: install flashing lights, install gates, upgrade track circuitry, close or consolidate crossings, construct grade separations, resurface grade crossing, etc.]

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Completion of the [insert project name] will result in improved [insert the transportation, safety, and other public benefits/outcomes that will result from the project].

III. PROJECT LOCATION

Instructions: The “Project Location” section of the SOW is intended to provide information related to the geographic location of the project, as well as important characteristics of the grade crossing. If a project involves multiple grade crossings, this information should be provided for the group of crossings, while also identifying any aspects unique to individual crossings within the group (such as the DOT crossing inventory number).

The Project is located in [insert city/town, county, state, cross streets, intercity passenger rail corridor, and the DOT crossing inventory number]. The rail corridor is owned by [insert name of railroad owner] and hosts [insert number] daily train round trips [further break out the number of round trips for each intercity passenger rail, commuter rail, and freight rail service operating through the crossing].

IV. DESCRIPTION OF WORK

Instructions: The “Description of Work” section breaks out the scope of work for the project into discrete tasks, which assists both the applicant/grantee and FRA in the administration and oversight of the project. Each task typically specifies a standard set of deliverables necessary to satisfy FRA’s requirements for the task and allow the grantee to proceed to subsequent tasks. While Task 1 (the Detailed Project Work Plan, Budget, and Schedule) is required of all grants/cooperative agreements, inclusion of the other suggested tasks below is dependent upon how advanced through the phases of project development a project is at the time of application/award (e.g. if a project has already completed conceptual engineering or has received an FRA-approved environmental decision document, those tasks would not be necessary under the grant/cooperative agreement). Additionally, the applicant/grantee may need to add other tasks not contemplated below, depending on the nature of their projects.

The descriptions for each task below provide an overview of what FRA expects the applicant/grantee to accomplish for each task. In drafting the SOW, the applicant/grantee should describe how the specifics of their projects correspond with the expectations described.

Task 1: Detailed Project Work Plan, Budget, and Schedule (REQUIRED)

For this initial task, the Grantee will prepare a Detailed Project Work Plan, Budget, and Schedule for the following tasks. The project work plan will describe, in detail, the activities and steps necessary to complete the tasks outlined in the statement of work. The 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 work plan will include the project schedule (with grantee and agency review durations), a detailed project budget, and an environmental class of action recommendation memorandum (if applicable). If the Grantee needs to secure an agreement with the host railroad to access the railroad's property and perform the engineering, environmental, or construction activities, the executed agreement should be included with the work plan. Similarly, agreements governing the maintenance of the project should also be included. The work plan should also identify any studies to be conducted as part of the environmental review and evaluation process (if applicable). 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. 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: Environmental Review (IF APPLICABLE)

The Grantee will complete FRA-approved environmental clearance documentation for the Project. The final determination of the appropriate class of action and the Project's environmental impact will be made by FRA. The Grantee shall contact FRA and obtain preliminary direction regarding the class of action and appropriate environmental documentation. The Grantee shall reflect FRA direction and propose an environmental documentation approach when providing a complete project description, appropriate project maps, and any other relevant background information with the Detailed Project Work Plan, Budget, and Schedule. This information will assist FRA in making a class of action and/or level of documentation determination. The process for completing a categorical exclusion (CE) vs. a more intensive environmental assessment (EA) or environmental impact statement (EIS) is described below.

Categorical Exclusion:

If a CE is appropriate in accordance with FRA's *Procedures for the Consideration of Environmental Impacts* (effective May 26, 1999) (Environmental Procedures), the Grantee shall complete the FRA CE worksheet. The Grantee will evaluate the environmental effects of the

Project with the use of qualified environmental professionals to determine its impact, including conducting a review of existing literature, contacting relevant agencies, and performing field reconnaissance.

The Grantee will complete any additional studies and documentation for the FRA CE in accordance with the Environmental Procedures and the required deliverables outlined below. The Grantee will then document the findings, prepare a cover letter, and submit the final CE worksheet with supporting documentation for FRA review and approval.

If, upon consideration of the facts, FRA does not concur that a CE is appropriate for this Project, the Grantee will undertake either an EA (more likely) or an EIS (less likely) in accordance with FRA's Environmental Procedures, and as further described below.

Environmental Assessment / Environmental Impact Statement

If FRA determines that the Project will likely require an EA or EIS and approves this in the Detailed Workplan, then the Grantee shall proceed with developing the necessary studies and documentation in accordance with FRA's *Procedures for the Consideration of Environmental Impacts* (effective May 26, 1999) (Environmental Procedures). FRA will decide if an EA is appropriate for the Project, or if an EIS is required. The Grantee will use qualified environmental professionals to complete the following steps in coordination with and concurrence from FRA staff:

1. Conduct Project scoping to determine the key issues and studies needed in accordance with FRA's Environmental Procedures and the potential effects of the action;
2. Develop an initial outline and methodology overview for the proposed EA or EIS;
3. Define the purpose of and need for the Project;
4. Identify and analyze the project build alternatives (including the no-action alternative), comparing the existing conditions to the potential impacts of the proposed action and alternatives; and
5. Develop an agency and stakeholder 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 will follow FRA direction in the preparation of an EA or EIS, including the submission of the deliverables specified below that may be required for review and comment by FRA or the public (such as the draft environmental decision document). The Grantee is also responsible for identifying all necessary environmental mitigation and permits required for the Project's implementation.

Task 2 Deliverables:

Categorical Exclusion Deliverables

- Section 106 Documentation
- Section 4(f) Documentation (if applicable)
- Clean Air Act Conformity Documentation (if applicable)

- Endangered Species Act Documentation (if applicable)
- Categorical Exclusion Documentation

Environmental Assessment Deliverables

- Section 106 Documentation
- Section 4(f) Documentation (if applicable)
- Clean Air Act Conformity Documentation (if applicable)
- Endangered Species Act Documentation (if applicable)
- Annotated Outline and Methodology Overview
- Purpose and Need Statement
- Definition of Alternatives Report
- Agency and Stakeholder Involvement Plan
- Scoping Report
- Environmental Assessment
- Draft Finding of No Significant Impact

Environmental Impact Statement Deliverables

- Section 106 Documentation
- Section 4(f) Documentation (if applicable)
- Clean Air Act Conformity Documentation (if applicable)
- Endangered Species Act Documentation (if applicable)
- Draft Notice of Intent
- Annotated Outline and Methodology Overview
- Purpose and Need Statement
- Definition of Alternative Report
- Agency and Stakeholder Involvement Plan
- Scoping Report
- Administrative Draft Environmental Impact Statement
- Draft Environmental Impact Statement
- Administrative Final Environmental Impact Statement
- Final Environmental Impact Statement
- Draft Notice of Availability
- Draft Record of Decision

Task 3: Preliminary Engineering (30% Design) (IF APPLICABLE)

The Grantee will complete Preliminary Engineering (PE) (30% design) for FRA review and approval to support the construction of the Project. PE will consist of the preparation of all design development and Project delivery documentation necessary to demonstrate the effectiveness, feasibility, and readiness of the Project, including:

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 prepare a design narrative to include a summary of investigative results, existing conditions, and the basis of design. The narrative should include discussion of any findings from safety or hazard analyses.
- The Grantee will provide scale maps or scale aerial photography of existing conditions at a scale of approximately one inch = 40 to 100 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; utilities and power availability; 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. Existing site conditions and proposed improvements must be shown. Documentation should include plan sheet identification, sheet indices, and symbol legends.
- The Grantee will obtain signature approval of the preliminary engineering cover sheet by all stakeholders impacted by the proposed track configuration and signal plan.

The following documentation will be prepared to accompany the preliminary track and signal design and specifications as part of the Preliminary Engineering Set:

b. Construction Project Cost Estimate:

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

- The Construction Project cost estimate 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 estimate will include a detail of project work elements, unit quantities, and unit costs for labor and materials. Cost additives must be identified and described.
- 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. 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. Project development or construction phasing activities should be clearly identified.
- 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.

Task 3 Deliverables:

- Preliminary Engineering Set
- Right-of-Way and Relocation Plans

Task 4: Final Design (IF APPLICABLE)

The Grantee will complete Final Design, which progresses the engineering of the Project to the point where the engineering documentation is sufficient to support the procurement of construction services to implement the project. The Final Design Set will refine the Preliminary Engineering work and identify all project-related improvements, necessary construction materials and quantities, and construction activities in sufficient detail to depict the actions required by the construction entity to build the Project. The Final Design Set will be composed of:

- Contract documents (scope, specifications, schedule, budget, alternative technical concepts);
- Design criteria and specifications;
- Drawings: site plan, highway and track alignments, typical sections and cross sections, geotechnical reports, and various plan components such as ROW, utilities, drainage, etc.;
- Construction schedule;
- Construction staging and detour plans; and
- Bidding/estimating documents.

If applicable, the Grantee will also submit an Environmental Mitigation Plan, which is necessary to ensure that commitments identified in the environmental decision document are accounted for in the project development and Final Design process and implemented during construction. The Environmental Mitigation Plan may include a tracking and reporting database system that would be used to implement the plan and monitor compliance.

Task 5 Deliverables:

- Final Design Set
- Construction Planning Documentation
- Right-of-Way and Relocation Plans
- Environmental Mitigation Plan

Task 6: Construction (IF APPLICABLE)

The Grantee will describe the elements of the Project to be constructed (e.g. replacing track, installing flashing lights and gates, etc.) and the specific activities necessary to construct each element (e.g. initial site preparation work, demolition/removal of existing infrastructure, ballast or drainage measures, utility work, etc.).

Following construction and the completion of all other grant activities, the Grantee will submit a final performance report to FRA (this must be submitted within 90 days of the end of the grant’s period of performance). The final performance report 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 (if the project does not include a construction task, the Final Performance Report should be included under the final task of the project)

V. PROJECT SCHEDULE AND DELIVERABLES

Instructions: The “Project Schedule and Deliverables” section outlines the period of performance for the grant/cooperative agreement and provides a concise table listing all of the deliverables required for the applicable tasks covered under the grant/cooperative agreement and their submission due date to FRA. The applicant/grantee must list every deliverable required for each applicable task, as well as any other deliverables FRA may require.

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 must complete these deliverables to FRA’s satisfaction in order to be authorized for funding reimbursement and for the Project to be considered complete.

#	<u>Deliverable Name</u>	<u>Related Task</u>	<u>Due Date</u>
1			Month Day, Year
2			
3			
4			
5			
6			
7			

VI. PROJECT ESTIMATE/BUDGET

Instructions: The “Project Estimate/Budget” section outlines the initial cost estimate for the project by task and by funding source. Both methods are required and necessary to assess project costs. The “funding source” estimate should list all funding sources contributing to the

project (e.g. the FRA grant subject to this SOW, other FRA or Federal grants, the grantee's contribution, and contributions from all other project partners).

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.

Note: FRA will consider salvaged rail and materials as program income under 49 C.F.R. 18.25. The Grantee will apply the deductive method as described in 49 C.F.R. 18.25 unless otherwise instructed by FRA. The Grantee will report program income quarterly as part of the SF-425 Federal Financial Report.

Project Estimate by Task

Task Number	Task Name	Total Cost
1		\$
2		\$
3		\$
4		\$
Total Project Cost		\$

Project Estimate Contributions

Funding Source	Project Contribution Amount	Percentage of Total Project Cost
FRA Grant	\$	%
Grantee	\$	%
Project Partner 1	\$	%
Total Project Cost	\$	%

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

Instructions: The “Project Coordination” section identifies all the project partners, funding recipients and sub-recipients, and other entities that possess responsibility for the implementation of the project.

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]
-
- FRA

VIII. PROJECT MANAGEMENT

Instructions: The “Project Management” section identifies all actions the applicant/grantee will perform to ensure the effective management and oversight of the project.

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:

- 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 change in project’s scope, schedule and/or budget
 - c. Description of unanticipated problems and any resolution since the immediately preceding progress report
 - d. Summary of work scheduled for the next progress period
 - e. Updated Project schedule
- [list any other project management activities that may be necessary for the Project]