



## Utilities and Railroads

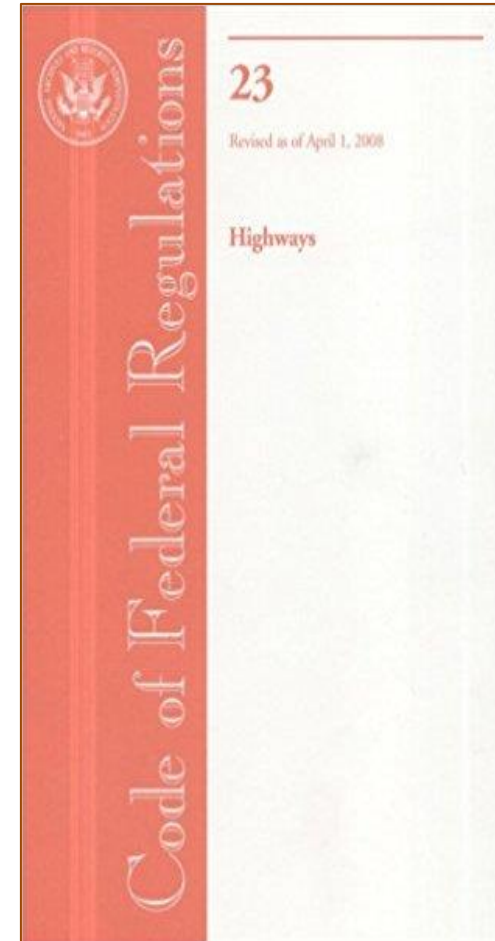


The environmental review, consultation, and other actions required by applicable federal laws described in this training are carried out by FDOT pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated December 14, 2016, executed by FHWA and FDOT date.

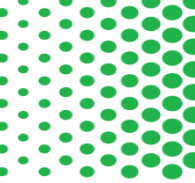


# Federal Legislative Authority

- Utilities
  - 23 CFR 645(a) – Utilities Relocations Adjustments and Reimbursement
  - 23 CFR 645(b) – Accommodation of Utilities
- Railroads
  - 23 CFR 646(b) – Railroad-Highway Projects



# State Legislative Authority



## Utilities

- Section 337.401 Florida Statutes – Use of Right Of Way (ROW) for Utilities
- Section 337.403 Florida Statutes – Relocation of Utilities
- Chapter 14-46, Florida Administrative Code – Utility Installation or Adjustments

## Railroads

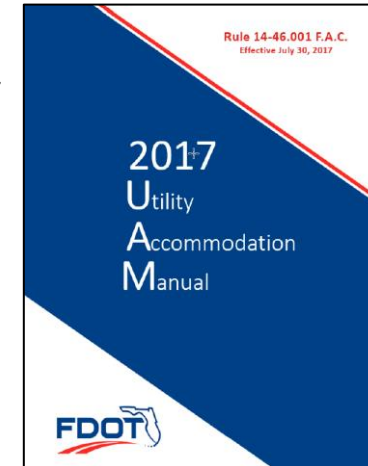
- Section 335.141 Florida Statutes – Regulation of Public Railroad-Highway Grade Crossings
- Chapter 14-57, Florida Administrative Code – Railroad Safety and Clearance Standards, and Public Railroad-Highway Grade Crossings Rule



# FDOT Procedures and other Resources

## Utilities

- FDOT Procedure No. 710-010-050, Utility Work Agreements and Certification Process
- FDOT Procedure No. 710-020-001 Utilities Accommodations Manual (UAM)
- FDOT Utility Agreements, Resolutions and Certificates of Incumbency



Topic No. 725-080-002 Rail Handbook Procedure	Effective: September 7, 2010
I INTRODUCTION RAIL OFFICE PROGRAMS HANDBOOK	
1.1 PURPOSE	
The purpose of the <i>Rail Office Programs Handbook (Rail Handbook)</i> is to identify and designate responsibility for rail processes in support of the Florida Department of Transportation's (Department) mission of a safe transportation system, which ensures mobility of people and goods, enhances economic prosperity and preserves the quality of our environment and community.	
1.2 AUTHORITY	
The US Code, Florida Statutes and Florida Administrative Code grant the authority to the Department to administer the State's rail programs.	
US Code Title 23 Highways; Title 49 Subtitle V Rail Programs	
Florida Statutes:	
120	Administrative Procedure Act related to hearing rights.
260.0161	Coordination with Department of Transportation on abandoned and to-be-abandoned railroad rights-of-way.
316.1575	Obedience to traffic control devices at railroad-highway grade crossings.
316.159	Certain vehicles to stop at all railroad grade crossings.
335.141	Regulation of public railroad-highway grade crossings; reduction of hazards.

## Railroads

- Rail Office Programs Handbook

# Early Identification of Utilities and Railroads

- Information needed to prepare the scope is:
  - (a) the anticipated number of Utility Agent/Owners (UAO)s within the PD&E Study limits; and,
  - (b) the anticipated complexity of coordination with each UAO

The Project Manager may use tools such as;

- Environmental Screening Tool
- Sunshine 811
- Coordination with District Rail Coordinator (DRC) and District Utility Office (DUO)



Note – Utility and Railroad impacts on minor projects are handled directly by the District Utility Office or Railroad Office

# Type of Anticipated Impact

Focus analysis efforts on utilities that could

- (a) impact development of the preferred alternative,
- (b) entail lengthy or drawn out coordination efforts,
- (c) may be cost prohibitive to relocate, or
- (d) rise beyond the level of ordinary utility coordination.

- Railroad Crossings
  - At grade
  - Bridge





# Level of Evaluation in the Scope

- Utility Assessment Package
  - Consultant or Department Responsibilities
  - Coordinate with the District Utilities Office
- Utility Survey
  - Additional Survey Required for Utilities
- Utility Coordination
- Rail Coordination
  - Anticipated Issues such as a new crossings



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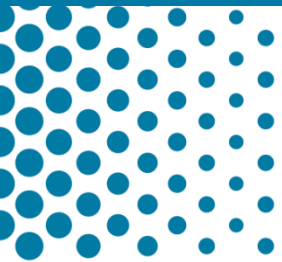


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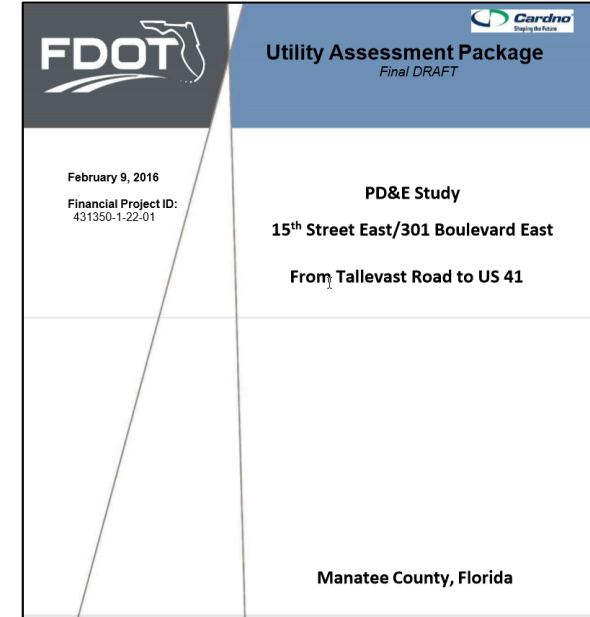


# Utility Procedure



# PD&E Request Package

- PD&E PM/Consultant to District Utilities Office
- For Each Alternative the Request Package will include:
  - Project Typical Sections
    - ◆ Roadway and shoulder width
    - ◆ Median and border widths
    - ◆ Sidewalks and Right of way limits
  - Project Concept Plans
    - ◆ All paved areas
    - ◆ Bridges
    - ◆ Drainage structures
    - ◆ Right of way limits and widths
    - ◆ Access control lines
    - ◆ Horizontal alignment/stationing
    - ◆ Any special landscaping or mitigation areas



# Coordination with Utility/Agencies Owners

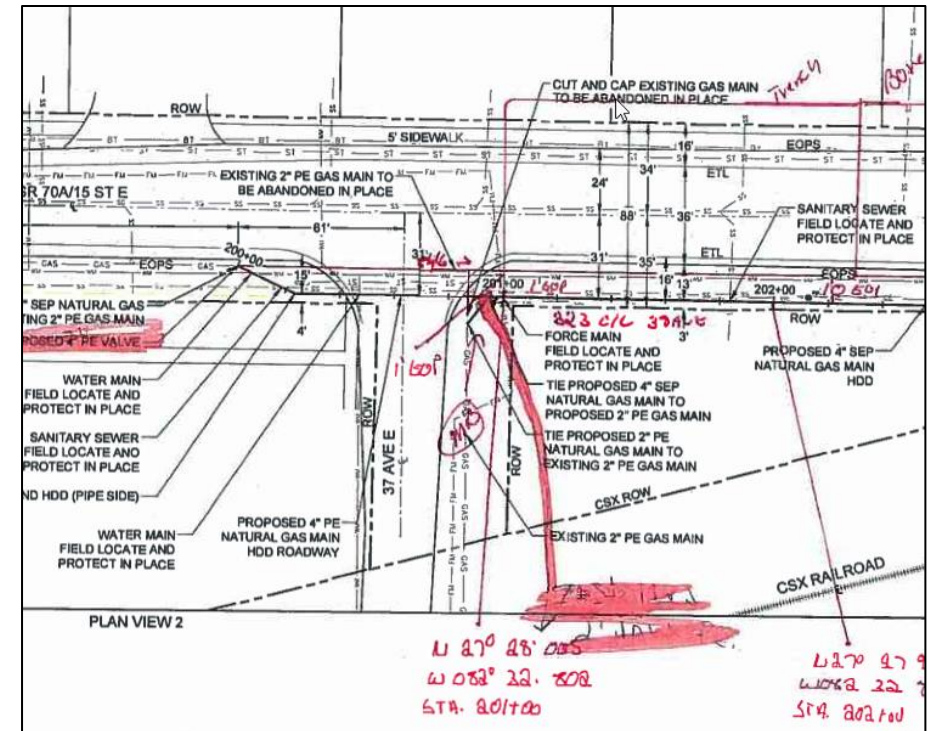
- PD&E Request Package submitted to UAOs
- Request from UAOs information that may affect the project such as:
  - Existing and proposed above and below ground utilities
  - Major facilities
  - Buildings
  - Existing or proposed easements
  - Other property interest



# Coordination with Utility/Agencies Owners

30 days after submittal hold a coordination meeting with each affected UAO to discuss

- Existing planned or proposed utilities within project alternatives
- Alternatives that may avoid or minimize conflicts
- Utility conflict minimization strategies
- Relocation costs
- Schedule
- Property interests
- Possibility of entering into an agreement





# Coordination with Utility/Agencies Owners

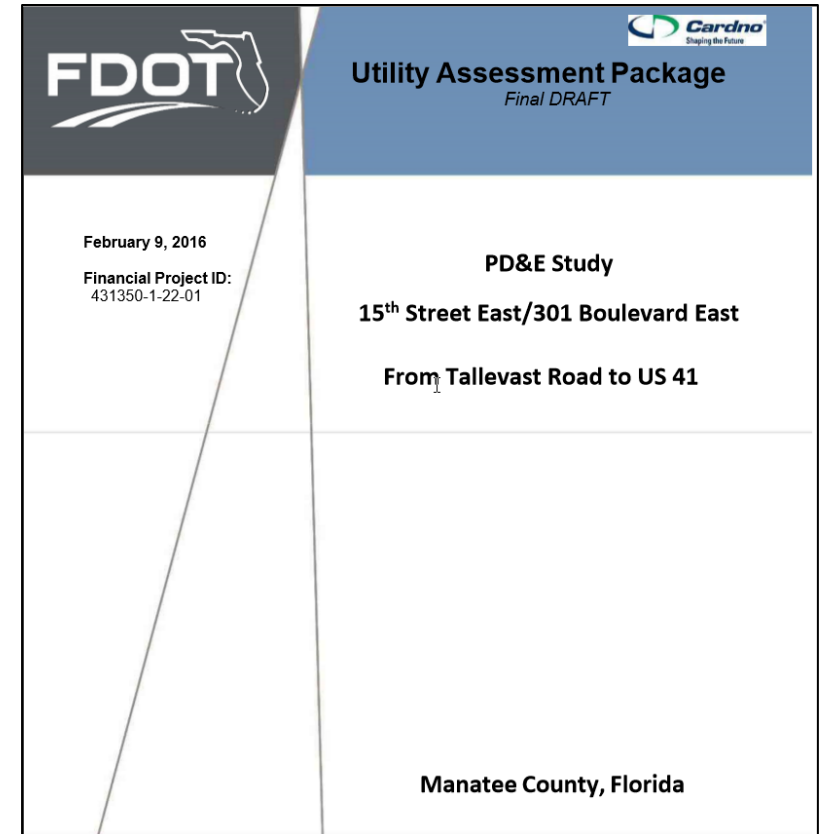
Discuss with the Office of General Counsel (OGC)

- ◆ Inquiries or request for compensation
- ◆ Utility Work Agreement
- ◆ Feasibility of joint right of way acquisition
- ◆ August 21, 2013 Florida Gas Transmission Agreement and Global Settlement



# Utility Assessment Package

- Utility Assessment Package is used in the comparative alternative analysis. The Package includes:
  - Names of all identified UAOs
  - One set of aerials denoting existing and planned utilities
  - Description of all existing and planned utilities
  - Discussion of mitigation and avoidance recommendations to reduce utility costs
  - Cost estimate and timeframe for any relocations





# Commitments and Formal Agreements

## Formal Agreement with UAO during PD&E

- DUO and Project Manager coordinate with the Office of General Council to negotiate and execute an agreement with the UAO
- Agreements will be documented with the Office of General Council and included in the Utility Assessment Package maintained by the DUO
- Agreements could include ROW acquisition, utility easement or preliminary engineering

## Commitments

- Documented in the Commitment Section of the Environmental Document
- Documented in the Project Commitment Record, Form No. 700-011-35

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT  
(AT UTILITY EXPENSE)

Financial Project ID:	Federal Project ID:
County:	State Road No.:
District Document No:	
Utility Agency/Owner (UAO):	

THIS AGREEMENT, entered into this \_\_\_\_\_ day of \_\_\_\_\_, year of \_\_\_\_\_, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "FDOT", and \_\_\_\_\_, hereinafter referred to as the "UAO";

WITNESSETH:

WHEREAS, the FDOT, is constructing, reconstructing, or otherwise changing a portion of a public road or publicly owned rail corridor, said project being identified as \_\_\_\_\_ State Road No. \_\_\_\_\_, hereinafter referred to as the "Project"; and

WHEREAS, the UAO owns or desires to install certain utility facilities which are located within the limits of the Project hereinafter referred to as the "Facilities" (said term shall be deemed to include utility facilities as the same may be relocated, adjusted, installed, or placed out of service pursuant to this Agreement); and

WHEREAS, the Project requires the location (vertically and/or horizontally), protection, relocation, installation, adjustment or removal of the Facilities, or some combination thereof, hereinafter referred to as "Utility Work"; and

WHEREAS, the FDOT and the UAO desire to enter into a joint agreement pursuant to Section 337.403(1)(b), Florida Statutes for the Utility Work to be accomplished by the FDOT's contractor as part of the construction of the Project; and

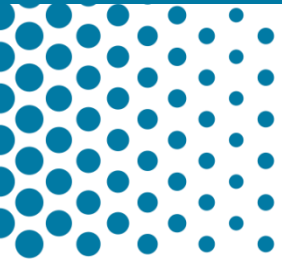
WHEREAS, the UAO, pursuant to the terms and conditions hereof, will bear certain costs associated with the Utility Work;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the FDOT and the UAO hereby agree as follows:

1. Design of Utility Work
  - a. UAO shall prepare, at UAO's sole cost and expense, a final engineering design, plans, technical special provisions, a cost estimate, and a contingency Utility Work Schedule (said contingency schedule to be used in the case of a bid rejection) for the Utility Work (hereinafter referred to as the "Plans Package") on or before \_\_\_\_\_ year of \_\_\_\_\_.
  - b. The Plans Package shall be in the same format as the FDOT's contract documents for the Project and shall be suitable for reproduction.
  - c. Unless otherwise specifically directed in writing, the Plans Package shall include any and all activities and work effort required to perform the Utility Work, including but not limited to, all clearing and grubbing, survey work and shall include a traffic control plan.
  - d. The Plans Package shall be prepared in compliance with the FDOT's Utility Accommodation Manual and the FDOT's Plans Preparation Manual in effect at the time the Plans Package is prepared, and the FDOT's contract documents for the Project. If the FDOT's Plans Preparation Manual has been updated and conflicts with the Utility Accommodation Manual, the Utility Accommodation Manual shall apply where such conflicts exist.
  - e. The technical special provisions which are a part of the Plans Package shall be prepared in accordance with the FDOT's guidelines on preparation of technical special provisions and shall not

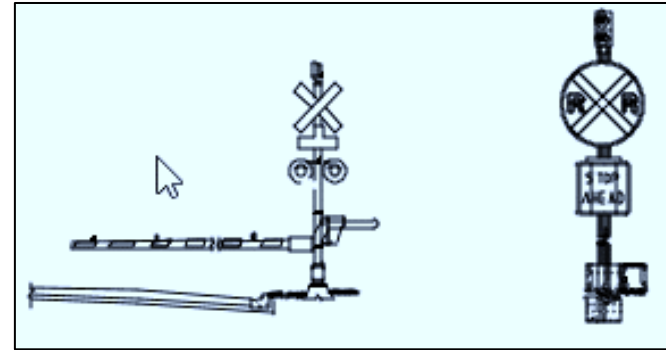
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# Railroad Procedure



# Coordination

- Coordinate with District Rail Coordinator (DRC) for information on existing railroad lines such as:
  - Rail Owner
  - Number of Tracks
  - Present and future use of the railroad line
  - Condition of crossing
  - Existing and proposed protection devices
- Coordination with Railroads and Local Governments
  - Required for any project that includes construction, reconstruction or closing of a highway-rail grade crossing in accordance with Section 337.11, F.S. and Chapter 14-57, F.A.C.
  - PD&E PM must work closely with the DRC who is responsible for this coordination





# Railroad Grade Crossing Application Form

Projects that require a closing or construction of a new grade crossing must complete the Railroad Grade Crossing Application, Form No. 725-090-66 :

- Safety Analysis of the grade crossing
- Discussion of land use and traffic generators served by the crossing
- Existing and projected traffic
- Effect on rail operations
- Effect on emergency vehicles access

Rule 14-07.010, F.A.C. STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RAILROAD GRADE CROSSING APPLICATION 725-090-66 (Rev. 09/13)

ROAD NAME OR NUMBER	COUNTY/CITY NAME

**A. IDENTIFICATION**

Submitted By: \_\_\_\_\_

Applicant: \_\_\_\_\_

Office: \_\_\_\_\_

Telephone: \_\_\_\_\_

Address: \_\_\_\_\_

Application For:

Closing a public highway-rail grade crossing by:

- roadway removal
- rail removal

Opening a public highway-rail grade crossing by:

- new rail line construction
- new roadway construction
- conversion of private to public highway-rail grade crossing

**B. CROSSING LOCATION**

FDOT/AAR Crossing Number: \_\_\_\_\_

Jurisdiction for Street or Roadway by Authority of:  City  County  State

Local Popular Name of Street or Roadway: \_\_\_\_\_

Railroad Company: \_\_\_\_\_

Railroad Mile Post: \_\_\_\_\_

Submitted for the Applicant by: \_\_\_\_\_ Name and Title DATE: \_\_\_\_\_

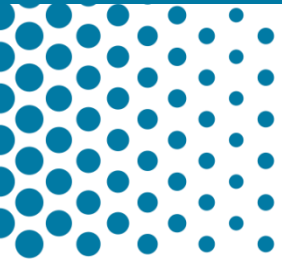
Application FDOT Review by: \_\_\_\_\_ Central Rail Office DATE: \_\_\_\_\_

REFERENCES:  
(Specific Legal Authority) 334.044 F.S.  
(Law Implemented) 335.141 F.S.  
(Administrative Rule) 14-07.012 F.A.C.

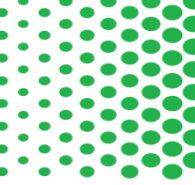
# Design Requirements and Other Coordination

- Viable project alternatives evaluated in detail must meet the Department's Railroad Design Criteria –Refer to the FDOT Design Manual.
- The Project Manager and the District Rail Coordinator should work closely together and remain cognizant of the project schedule.
- The Project Manager, District Rail Coordinator, and railroad company should also work together to establish and anticipate any coordination efforts.
- Documentation of the coordination with the railroads must be included in the project file and summarized in the Environmental Document and the Preliminary Engineering Report.

# Documentation



# Resources



- PD&E Manual - <http://www.fdot.gov/environment/pubs/pdeman/pdeman1.shtm>
- ETDM Manual – <http://www.fdot.gov/environment/pubs/etdm/etdmmanual.shtm>
- Utility Accommodation Manual –  
<http://www.fdot.gov/programmanagement/utilities/Docs/UAM/UAM2017.pdf>
- Rail Handbook- <http://www.fdot.gov/rail/publications.shtm>
- OEM Training - <http://www.fdot.gov/environment/sched/train1.shtm>