

**Process that is followed for a
Highway Improvement Project with an At Grade Railroad Component**

1. District Planning Unit identifies there is a railroad in the vicinity of the project. (See [FDM 3-5-3](#), Project Scoping Checklist)
2. District Planning Unit informs Region Railroad Coordinator. (RRC)
3. District sends a letter notifying the railroad of the scope of the project and invites RR to the OPM.
4. RRC identifies there is RR work to be done in conjunction with a project.
5. Field review. (possibly with Railroads and Harbors Section (RHS) and the Railroad)
6. RHS develops rough cost estimate for scheduling purposes.
7. The RRC (with input from RHS and project manager) provides District Planning with the crossing ID number(s), project estimate, RR % of funding, location, schedule date and type of work. District assigns RR Project ID number(s) and initializes in FIIPS/FOS. Under "functional type" code as a construction project. **(R/R "Schedule Date" equals the 25th day of the month prior to the let date of companion highway project, I/E "Schedule Date" is left blank, "PS&E Date" should be 2 months prior to the schedule date) Public's share of funding should be similar to the funding on the associated highway project. Life Cycle 10, Status I**
8. District puts together the project submittal package and sends to RHS. (Plan sheets & RR X-ing Report)
9. If appropriate, the district gets a municipal agreement signed by the locals.
10. RRC requests of FIIPS/FOS Coordinator that the project be authorized for charges.
 - A. If the request for authorization is prior to the same fiscal year as the R/R Schedule Date or the Environmental Document hasn't been approved, then request will be for railroad design costs. District requests authorization of BSHP for the total project estimate amount and sends an e-mail notification to the BFS Highway Accounting Unit that this is a railroad project with design cost authorization being requested. Environmental clearance date field is left blank if the environmental document hasn't been approved. In FIIPS under 'Project Notes' in the electronic FHWA 37 form, state "5% of project to be used for Railroad PE." The project remains in Life Cycle 10. **Status F**
 - B. If the request for authorization is in the same fiscal year as the R/R Schedule Date and the Environmental Document has been approved, then request full authorization of the project. The project remains in Life Cycle 10. **Status F**
11. BSHP requests authorization of BFS. **Status G**
12. BFS Highway Accounting Unit electronically submits the FHWA-37 form. After submittal, BFS changes the FHWA Fiscal Management Information System (**FMIS**) to be 5% of the total project costs. The 5% modification is done only if following #10 'A' above.
13. FHWA electronically approves the 37 Form.
14. Project is authorized for charges by BFS. (5% of the total funding needed is obligated at this time if following #1 above) **Status H**
15. RHS drafts proposal/estimate request and sends to RRC for comments.
16. RRC and project manager/designer each reviews proposal/estimate request & sends comments to RHS.
17. RHS makes necessary changes.
18. RHS sends proposal/estimate request to railroad.
19. RHS petitions the OCR.
20. Project manager/designer prepares testimony.
21. RHS and District hold a pre-hearing conference.
22. OCR hearing is held.
23. Proposed OCR decision to RHS.
24. RHS forwards proposed decision to the RRC.
25. RRC and project manager/designer reviews proposed decision.
26. RHS comments to OCR on proposed decision within 15 days. (both CO and district comments)
27. Final OCR decision (Order) to RHS.
28. RHS forwards final decision to the RRC.
29. RHS sends revised proposal/estimate request to the railroad.
30. Railroad performs preliminary (design) engineering, generates an estimate and sends to RHS.
31. Estimate received by RHS.
32. RHS prepares agreement.
33. Agreement originals sent to railroad. RRC receives agreement copy, copies and forwards to project manager. District FIIPS/FOS coordinator also receives a copy, checks out the project in FIIPS, updates the

- cost along with any other necessary information and requests BFS to obligate the remainder of the funds by delegating the project to BFS with a FIIPS draft delegation note including the environmental clearance date if it is blank in FIIPS (if following #1 above). (= **PS&E Date**) **Life Cycle 20**
34. BFS electronically modifies FMIS for the entire amount of project (if following #1 above).
 35. May need further RR negotiations or amended agreement based on RR comments.
 36. Railroad approves agreement and sends to RHS.
 37. Agreement received by RHS. (Let highway project now OK to award)
 38. RHS prepares DT-25 and cost share form.
 39. Agreement to BFS ---- Secretary ---- Governor.
 40. Agreement executed by BFS (Contract Administration Unit) and encumbers the dollars (Expenditure Accounting Section). (= **Schedule Date**)
 41. Executed agreement to RHS.
 42. Copy of executed agreement sent to the Railroad along with the RRC and District FIIPS/FOS Coordinator.
 43. Progressive billing by RR may begin. (design and material bills may be submitted before construction with other progressive bills coming up until the final bill is submitted or 1 year after the completion certificate is sent to the railroad)
 44. The District ensures that the R/R Schedule Date and the EAPS Encumbrance Date are in sync and moves the project to life cycle 40. (**Life Cycle 40**)
 45. RRC provides a copy of the executed agreement to the project manager
 46. Project manager ensures a copy of the executed agreement is given to the construction project manager
 47. RRC reviews progressive bills and forwards to BFS for partial or complete payment. (an explanation of partial payment is required by BFS)
 48. RRC issues written start notice to Railroad and copies RHS. If there was an OCR Order then also send a copy to the OCR.
 49. Construction Project Manager arranges with Railroad to attend pre-construction meeting.
 50. Railroad notifies RRC of intent to start
 51. Construction by RR and inspection by district.
 52. Railroad notifies RRC of the completion date. (If the railroad didn't notify the RRC of the completion date and a field inspection of the project indicates that the project is complete, then go ahead to the next step)
 53. District does field inspection for acceptance.
 54. DRC fills out final acceptance letter and completion certificate. The original gets sent to the railroad and copies get sent to RHS and BFS. If there was an OCR order then also send a copy to the OCR.
 55. Railroad is given three months to dispute State's final acceptance of the project otherwise use the completion date from the final acceptance letter to start the one year for the railroad to send the final bill to the RRC.
 56. Railroad needs to submit final bill to the RRC within one year of the State's final acceptance of the project, otherwise the RRC can close the project.
 57. RRC reviews final bill and resolves with the railroad any disputed items.
 58. RRC forwards undisputed final bill to BFS for payment along with advising BFS to disencumber any remaining project dollars and close the project to charging.
 59. BFS disencumbers any remaining project dollars and close project to charging. **Life Cycle 50**
 60. One month after sending the final bill to BFS, RRC checks EAPS to see if the final bill has been processed and marked as final and to see if the remaining funds have been released. Also check FIIPS to see if the project is closed except for journal voucher.