

# ATTACHMENT 2

## STATEMENT OF WORK

### Durham County

### Durham Rail-crossing Engagement, Planning, And Innovative Revitalization

### (Durham REPAIR)

### Railroad Crossing Elimination Program FY22

#### I. AUTHORITY

<b>Authorization</b>	<b>49 U.S.C. § 22909</b>
<b>Funding Authority/Appropriation</b>	Contract authority in Section 22305 of the Infrastructure Investment and Jobs Act (IIJA) (Pub. L. 117-58, November 15, 2021)
<b>Notice of Funding Opportunity</b>	Railroad Crossing Elimination Program for Fiscal Year 2022, FR-RCE-22-001, Published in FR July, 12, 2022

#### II. BACKGROUND

This Agreement funds Durham County to support the deployment of Durham REPAIR (i.e., the Project). To the extent there is a conflict between Attachment 1 and this Attachment 2, Attachment 1 governs.

#### III. OBJECTIVE

Durham REPAIR calls for a fresh look. All necessary planning, public engagement, preliminary engineering (PE), and National Environmental Policy Act (NEPA) requirements will be completed.

#### IV. PROJECT LOCATION

The Project will study alternative options for separation or closure of three adjacent railroad crossings in Durham County, North Carolina in North Carolina Congressional District 4. The crossings located at Plum Street, Driver Street, and Ellis Road require action due to the historic and anticipated roadway and rail traffic levels and their crash histories. Geospatial data for the project is presented in the table below.

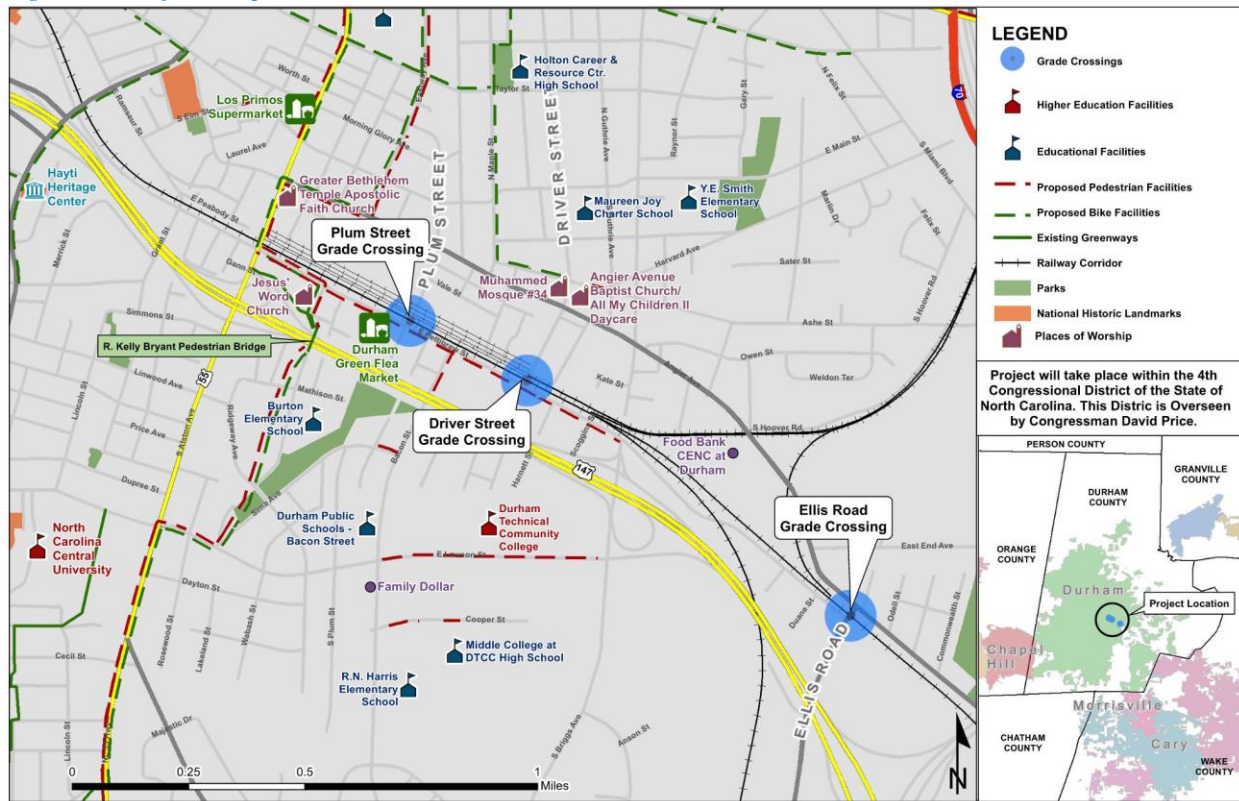
*Table 1: Geospatial Data*

<b>Crossing Number</b>	<b>630472K</b>	<b>630471D</b>	<b>735236Y</b>
<b>Crossing Location</b>	Plum Street	Driver Street	Ellis Road
<b>Position</b>	At Grade	At Grade	At Grade
<b>Latitude</b>	35.981753	35.979861	35.972535
<b>Longitude</b>	-78.883657	-78.879236	-78.866857
<b>Milepost</b>	0056.430 NC	0056.710 NC	0057.580 NC
<b>County</b>	Durham	Durham	Durham
<b>City</b>	Durham	Durham	Durham

<b>Crossing Number</b>	<b>630472K</b>	<b>630471D</b>	<b>735236Y</b>
<b>Division</b>	Blue Ridge	Blue Ridge	Blue Ridge
<b>Subdivision</b>	Danville	Danville	Danville

The East Durham neighborhood is one of Durham’s most densely populated neighborhoods and contains higher concentrations of Hispanic populations. It also includes the Hayti Neighborhood, which is a historically Black neighborhood that was severely impacted by the construction of the Durham Freeway (NC 147) freeway in the 1970’s as part of Durham’s Urban Renewal program. NC 147 was built to provide a high-speed vehicle connection from Research Triangle Park (RTP) to Central Durham. NC 147’s path through Durham destroyed well-established African American communities. As a result of NC 147’s construction, African American businesses, homes, and places of worship were demolished and residents were permanently displaced.

Figure 1: Project Map



The Project is located within two Federally Designated Opportunity Zones (37063001100, 37063001001) and the three crossings are located in Census Tracts designated as a Historically Disadvantaged Community (Census Tract 11, 14, 10.01, and 18.02).

Application supplemental materials can be found here: <https://www.dconc.gov/repair>.

## **V. DESCRIPTION OF WORK**

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

Durham County 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/FHWA), 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.

Durham County 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 Durham County 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: Community Engagement**

Durham County will prepare a Community Engagement Plan that identifies community engagement partners and stakeholders, establishes engagement responsibilities, sets quantitative and qualitative engagement objectives, explains the metrics to be used for measuring accomplishment of objectives, and describes engagement tools and methods. The Community Engagement Plan will align with the County's strategic goal for community empowerment and enrichment and the City of Durham's equitable community engagement blueprint. Community engagement partners and stakeholders will include funding local groups who partner with Durham County and other governments and agencies to lead engagement in their communities. Community partners will be identified in the vicinity of the three rail crossings to be studied: Plum Street, Driver Street, and Ellis Road. Engagement status reports will describe progress toward the objectives identified in the Community Engagement Plan. A Community Engagement Results Report will demonstrate the extent to which objectives identified in the Community Engagement Plan were accomplished. The report will detail the results of achieved objectives in terms of identified interests and concerns, and it will describe opportunities for sustained community-based engagement strategies in the areas of the three studied crossings.

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

- Community Engagement Plan outlining engagement partners and responsibilities, quantitative and qualitative objectives of engagement, metrics used to measure progress

toward and achievement of objectives, and intended methods or tools for accomplishing objectives.

- Community Engagement Status Reports documenting resources and methods used for engagement as well as measured progress toward the objectives of engagement identified in the Community Engagement Plan.
- Community Engagement Results Report demonstrating the extent to which objectives identified in the Community Engagement Plan were achieved and describing the results of achieved objectives in terms of identified interests, concerns, and opportunities for continued and sustained community-based engagement.

### **Task 3: Planning – Over/Under Study (with Closing Options)**

Recommendations from the Durham Traffic Separation Study (March 2014) will be reassessed for Plum Street, Driver Street and Ellis Road at grade rail crossings, and the recommendation for a grade separated extension of Briggs Avenue east of Driver Street, which may identify the need for additional recommendations. In addition, a traffic study will be completed analyzing the amount of traffic on each of Plum St, Driver St, Ellis Rd, and Briggs Avenue as well as, nearby connecting streets to determine the impact that closing one or more of these streets temporarily and/or permanently may impact traffic in the area. Roadway alternatives will be developed based on traffic analysis to conceptualize feasible options to close and/or grade separate Plum Street, Driver Street, and Ellis Road, and to develop a grade-separated extension of Briggs Avenue. Simultaneously, the potential future track configurations identified by North Carolina Railroad Company, NCDOT, and GoTriangle for each of these feasible concepts will be laid out to ensure any grade separations and/or closures accommodate planned future track cross sections. Utilities, structures, and drainage will provide input at a high level to inform the feasibility and pros/cons of each alternative. Constructability impacts to the human/natural environment and cost will also be a factor considered in the feasibility of each alternative.

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

- Traffic Forecast Report
- Two-three concept plans showing roadway, structure, and track locations. This includes a narrative describing the alternative development of the concepts with a screening matrix, identifying the pros/cons for each concept, with a comparative cost estimate.
- Preferred concept identification to be carried forward for further study in NEPA

### **Task 4: Preliminary Engineering of Selected Alternative (30%)**

Once a preferred alternative is selected, multiple disciplines will further analyze the concept based on available GIS information such as topographic and planimetric data, and existing underground utilities and drainage locations. Roadway and track alignment, profile, and typical sections will be developed, along with structure typical sections in the event a grade separation is included in the preferred alternative. Using this information, slope stakes will be laid out to inform the potential limits of construction and impacts to the surrounding area. Water/sewer, drainage, and privately owned utilities will be analyzed to further inform the limits of construction and environmental process.

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

- Roadway Plans/Profiles and Roadway Typical Sections
- Track Plans/Profiles and Track Typical Sections
- Structure Typical Sections

#### **Task 5: Environmental Review**

It is assumed that the proposed project will involve both FHWA and FRA, and depending on which the proposed improvements will be road over rail versus rail over road. Either agency could lead, or could enter into a cooperating agreement to jointly lead. Depending upon the complexity of the proposed project, and the number of alternatives to be carried over for detailed study in the National Environmental Policy Act (NEPA) phase, the environmental document could be a Categorical Exclusion (CE) or an Environmental Assessment/Findings of Non-Significance Impact (EA/FONSI). If multiple concepts from the planning phase are carried forward as Detailed Study Alternatives (DSAs) into NEPA, further alternatives analysis would need to be done as part of the environmental document.

Natural systems field investigations for Threatened and Endangered Species and wetland and stream delineations would occur, permits identified, and a preliminary Jurisdictional Delineation package would be prepared.

The Plum Street/Driver Street area is primarily minority and low income. Socioeconomic analysis would be conducted to identify Environmental Justice (EJ) Populations and determine whether there will be an adverse or disproportionate impacts to EJ populations.

Noting that the Driver Street National Historic District is located just north of the Plum St and Driver Street crossings, a historic architecture/archeology screening will need to be conducted to identify National Register (NR) properties, and if impacted directly or whether proximal impacts may require Section 106 Consultation.

Traffic diversion will be a concern for any proposed closure or maintenance of traffic during construction. A capacity analysis would need to be conducted, and additional improvements (signalization, turning lanes, storage lanes) may be recommended.

Conceptual costs estimates would be prepared for the NEPA detailed study alternatives, which including utility and right of way (ROW) costs.

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 Durham County's achievements with respect to the project objectives and milestones.

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

- CE or EA/FONSI NEPA Package:
  - Document
  - Natural Resource Technical Memorandum
  - Community Impact Assessment
  - Phase I Haz Mat
  - Historic Architecture /Archeology

- Visual Impact Assessment
- Noise/Vibration Assessment
- Air Quality Assessment
- Preliminary Drainage Report
- Traffic Capacity Analysis
- Utility Relocation Report and Cost Estimates
- ROW Relocation Report and Cost Estimates
- Final Performance Report

## **VI. PROJECT COORDINATION**

Durham County shall perform all tasks required for Durham REPAIR through a coordinated process, which will involve affected railroad owners, operators, and funding partners, including:

- City of Durham
- North Carolina Department of Transportation
- North Carolina Railroad Company
- Norfolk Southern (NS)
- CSX
- GoTriangle (funding partner)
- Emergency Services
- School Administration
- Durham Chapel Hill Carrboro Metropolitan Planning Organization
- Federal Railroad Administration

## **VII. PROJECT MANAGEMENT**

Durham County is responsible for facilitating the coordination of all activities necessary for implementation of Durham REPAIR. Upon award of the Project, Durham County will monitor and evaluate the Project's progress through regular meetings scheduled throughout the Project Performance Period. Durham County 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