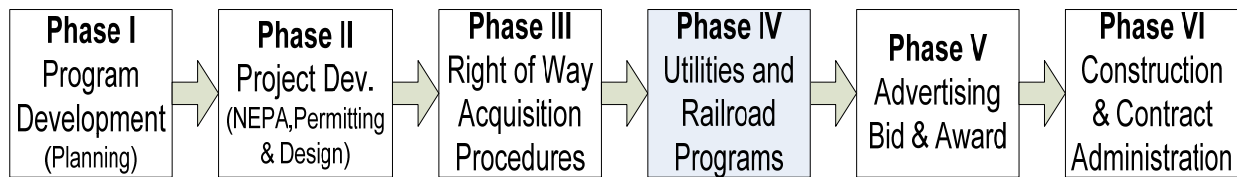


This chapter provides information related to utilities and railroad crossings in federal-aid project delivery for certified agencies.

In the sequence of project development, utility and railroad issues should be addressed early in the process, after development of the project prospectus.



A. Overview

1. UTILITIES

Most transportation improvement projects involve utilities in some fashion. Depending on the project, utility involvement could be relatively minor, such as requiring utilities to mark their facility locations that are in the project area. Alternatively, utilities might be required to relocate their facilities due to conflicts with the project.

2. RAILROAD FACILITIES

ODOT alone is responsible for the Railway-Highway Grade Crossing Safety Program. For details regarding the Railway-Highway Grade Crossing Safety Program see the appropriate fact sheet in Chapter 3, Section A, of this *LAG manual*.

B. Utility Program

1. RELOCATION

Relocation of utilities may be reimbursable. Typically, if the utility has a compensable property interest in its present location, it would be entitled to reimbursement. If the utility were located on public right of way by permit or franchise agreement, the relocation would generally be non-reimbursable. The local agency's utility permit or franchise agreement should explicitly define these parameters.

For reimbursable utility relocations on local agency projects that are receiving federal funds, the relocation will be accomplished by the utility in accordance with the utility's plans and schedule approved by the local agency. This should result in the least possible interference with the progress of the local agency project.

NOTE: For reimbursable utility relocations on local agency projects that are receiving federal funds, the relocation will be accomplished in accordance with the utility's plans and schedule approved by ODOT.

2. RELOCATION POLICY

Utility relocations, adjustments and reimbursement policy requirements are defined in the Code of Federal Regulations [23 CFR 645A](#). The local agency shall follow these regulations on projects receiving federal-aid.

ODOT's manual, [Procedures for Utility Relocation/Reimbursement for Federally Funded Local Public Agency Projects](#) outlines the basic requirements governing the relocation and reimbursement procedures and practices that a local agency should use on federally funded local projects. It was produced by ODOT's Project Administration Unit, Right of Way Section with oversight and final approval by ODOT. The procedures are intended to be used as general guidelines by local agencies in the execution of their projects. Certified local agencies may use their own utility relocation procedures, as approved by ODOT.

For situations not covered here, or for other related questions, contact the ODOT [Regional Local Agency Liaison](#) who will coordinate with ODOT's State Utility Engineer at 503-986-3658. Copies are available upon request and may be obtained by contacting the State Utility Engineer.

In addition, this document and all related attachments can be found at ODOT's [Utility website](#) (click on "Procedures" then click on "procedures_city").

C. Railroad Program

ODOT is responsible for the Railway-Highway Grade Crossing safety program. If a highway project or related project work and equipment are within 500 feet of a railroad, the local agency must notify the [Regional Local Agency Liaison](#) who will coordinate communication with ODOT's Rail Division and the State Railroad Liaison. ODOT's Rail Division and the State Railroad Liaison must be notified as early as possible in the project scoping phase.

For information on ODOT Rail Division contacts, crossing applications and law can be found at ODOT's [Rail website](#).

In order to advance projects involving railroad facilities, the local agency needs to coordinate project development with each affected railroad. Any agreement required by the affected railroad is necessary to set forth the essential terms and conditions to be adhered to in the modification or relocation of railroad facilities and encroachments into railroad right of way. Negotiations with railroads can be lengthy and intricate so it is important to begin discussions with railroads at an early stage of project development. However, since design revisions can complicate the timing of these negotiations, a project should be well thought out before the railroad negotiations become too specific.

The Code of Federal Regulations [23 CFR 646](#), governs the development of highway projects involving railroads, including the requirements of an agreement. The local agency shall follow these regulations on projects receiving federal-aid.

Examples of railroad agreements, standard contract specifications, ODOT railroad procedures, state law, and federal regulations can be found at the following [ODOT website](#).

For situations not covered here, or for other related questions, contact the ODOT [Regional Local Agency Liaison](#) who will coordinate with ODOT's State Railroad Liaison 503-986-3657.