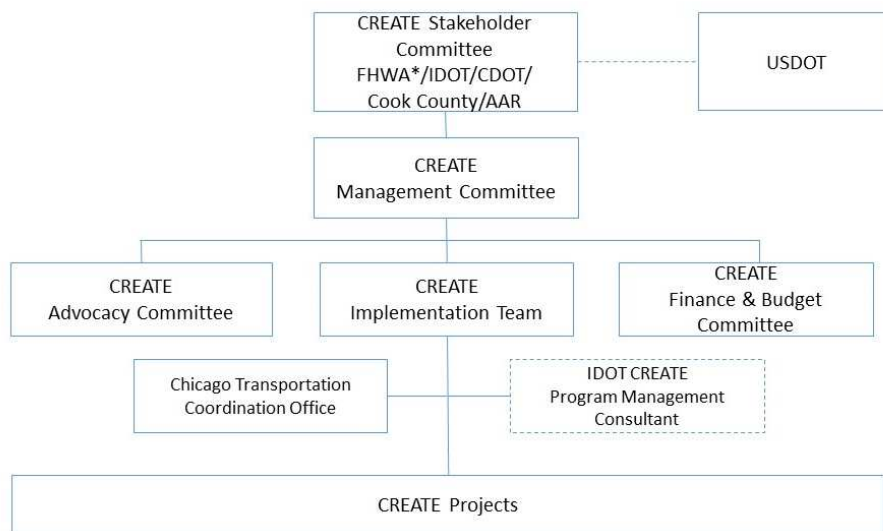




## CREATE Partnerships and Management

The CREATE Program involves 15 agencies in a first-of-its kind public-private partnership. Given the complexity of the Program and the number of entities involved, the Program has developed a clear management structure to guide operations and ensure efficient use of funds. Given the number of partners involved, CREATE established a committee structure to manage day-to-day operations, which is shown in Figure 1 below. The management structure is outlined and agreed to by the parties, in the Joint Statement of Understandings (JSU), as amended, which can be found in the Final Feasibility Plan – Amendment 1 at [Final Feasibility Study](#), pages 12-47.

**Figure 1 CREATE Program Committee Structure**



\* Non-voting member

### FHWA CREATE Program Manager

U.S. DOT's Federal Highway Administration (FHWA) designated a full-time CREATE Program Manager position in Chicago. This individual serves as the on-site Federal Project Manager for the CREATE Program projects and is responsible for the management of all Federal interests associated with the delivery aspects of these projects. Additionally, this individual is the primary U.S. DOT local point of contact for project delivery on the CREATE Program for FHWA, FTA, and FRA, Illinois Department of Transportation (IDOT), Chicago Department of Transportation

(CDOT), Cook County, other local agencies, railroad companies, consultants and contractors, and representatives of the Office of Inspector General (OIG) and other organizations.

**Stakeholder Committee** – The Stakeholder Committee has three members: President and CEO of Association of American Railroads (AAR), Chicago DOT Commissioner, Cook County Superintendent, and IDOT Secretary. This committee sets policy for the CREATE Program and approves any changes in scope or budget. This committee provides final resolution on all stakeholder issues and makes decisions by unanimous agreement.

**Management Committee** – The Management Committee is comprised of one member each from CTCO, Metra, BNSF, CN, CP, CSX, NS, UP, AAR, CDOT, Cook County, and IDOT, as well as nonvoting members from Amtrak, BRC, IHB, and FHWA. This committee reviews and approves project designs, project cost estimates, and construction assumptions and makes decisions regarding scope, schedule, and budget based on recommendations from the Implementation Team. The committee makes decisions by unanimous agreement, although any member may elevate an issue to the Stakeholder Committee. The Management Working Group is formed of one representative from each of the three stakeholder agencies (AAR, CDOT, and IDOT) who work out any issues that may arise. If it can not resolve the issue, or if something needs formal approval, it goes to the full Management Committee.

**Implementation Team** – The Implementation Team is comprised of one member each from CTCO, Amtrak, Metra, BNSF, CN, CP, CSX, NS, UP, BRC, IHB, AAR, CDOT, Cook County, and IDOT. The Implementation Team tracks budget and construction progress and recommends project changes. Members are mainly from the Engineering/Operations divisions of their agencies. This committee meets every month – one day with consultants, who present monthly progress reports on their projects, and the next day by itself.

**Finance and Budget Committee** – The Finance and Budget Committee is comprised of one member each from CTCO, Amtrak, Metra, BNSF, CN, CP, CSX, NS, UP, AAR, CDOT, Cook County, and IDOT and reports to the Management Committee. This committee works with the Advocacy Committee to identify sources of public funds and monitors project cost estimates versus actual expenditures, and assists project managers with financial management issues.

**Advocacy Committee** – The Advocacy Committee is comprised of one member each from CTCO, Amtrak, Metra, BNSF, CN, CP, CSX, NS, UP, AAR, CDOT, Cook County, and IDOT and reports to the Management Committee. The Advocacy Committee is responsible for all CREATE communications, addressing community concerns, and advocating for CREATE. The committee monitors the federal and state legislation process and conducts public outreach. It also advocates for engineering and construction companies to hire more aggressively in the communities where projects will be constructed to benefit the local economy. It is composed of a Government Affairs staff member from each partner.

**Tech Review Team** – This team is comprised of one member each from the railroads, IDOT, and CDOT and reports to the Implementation Team. This team works with project managers on detailed scope, schedule, and budget issues.

**Project Managers** – Each project in the CREATE Program was designated to one or more partners, who become the Project Managers. The component Project Managers are responsible for all phases of development through implementation, including design and construction, and are responsible for keeping track of project status and potential scope/cost changes. The Project Managers report to the Implementation Team through the Tech Review Team.

**Chicago Transportation Coordination Office** – Among its responsibilities, the CTCO approves assumptions related to train operations and performance, and ensures optimal rail operations during construction.

**Project Office** – The Project Office is administered by AAR, and it is responsible for keeping track of all projects, approving final designs and cost estimates, assisting with grant applications, and is a liaison between the Component Project Managers and other groups. The Project Office analyzes or initiates requests related to changes in project scope and/or costs, and advises the Management Committee of proposed actions. The Project Office staff member has office space at the CTCO facilities.

**CREATE Project Tracking**

The CREATE Partners continuously track the progress of each of the 70 CREATE Program projects and develop regular summary reports on status. Table 1 shows the summary status of the number of projects in each of the major phases of project development and construction.

**Table 1 CREATE Program Status**

Completed	Under Construction	Phase II Final Design	Phase I Environmental and PE	Initiation Pending Funding Availability
31	4	8	8	19

Note: Project Status as of February 2021. For details on the status of individual projects see [Project Status](#).

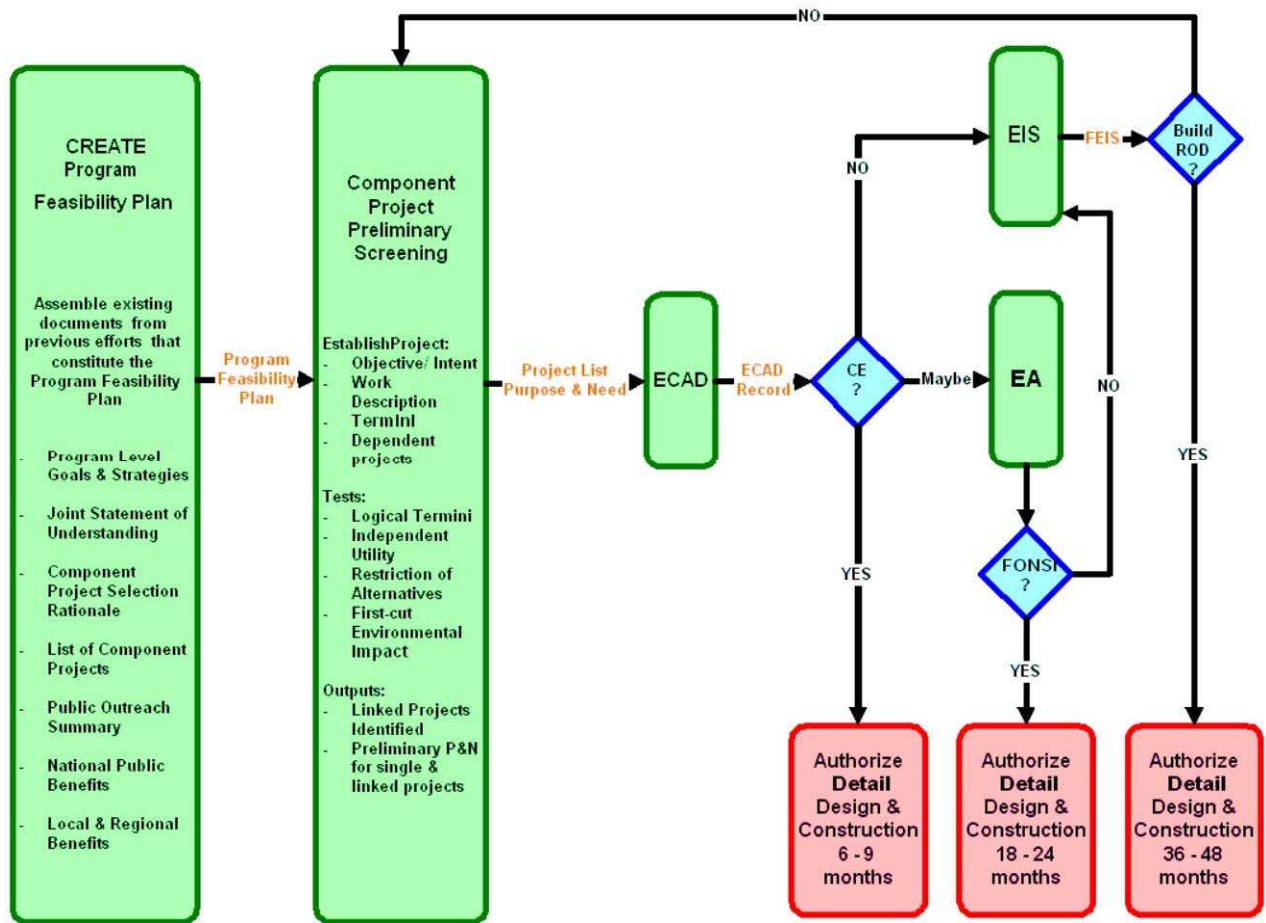
**CREATE Policies**

The CREATE Program is comprised of a set of projects involving rail improvements that were initially funded under a Federal grant (PNRS) and managed by the FHWA, which has traditionally been focused on highways. Therefore, as CREATE was initiated, many new procedures and policies were developed to govern this new type of Program involving freight and passenger rail investments. During the initial years of CREATE’s operations, significant investment was made in developing innovative policies and procedures that will guide the Program for years to come. This investment ensures that the Program is poised to quickly advance projects when funding is available.

Procedures that have been developed specifically for the CREATE Program are listed below:

- **Systematic, Project Expediting, Environmental Decision-making (SPEED) Process** – Because the CREATE Program is partly financed with federal funds it is considered a Federal Action that falls under the National Environmental Policy Act of 1969 (NEPA). The CREATE Program is a unique public-private partnership providing an extraordinary transportation improvement opportunity, and the environmental review requirements under NEPA must be met while also meeting the Partners’ expectations. The traditional methods to handle the environmental analysis for component projects would be on a project-by-project basis or with a Tiered or Programmatic Environmental Impact Statement (EIS) for the CREATE Program as a whole. Each of these methods has advantages and disadvantages. The project-by-project method could be vulnerable to legal challenges related to segmentation. A Tiered EIS

would be considered overkill for the low risk projects and would delay the start of these projects until completion of the Tiered EIS. Thus, a new NEPA-compliant decision making strategy was developed called SPEED.



- **Phase I Manual** – this manual contains the procedures for Phase I work including environmental and preliminary (nominal 30%) design.
- **Phase II Manual** – this manual contains the procedures for Phase II work.
- **Phase III Manual** – this manual contains the procedures for Phase III work.
- **Noise/Vibration Policy** - this policy guides engineering firms conducting environmental review how to evaluate noise and vibration impacts.
- **Air Quality policy** – this policy guides engineering firms conducting environmental review how to evaluate air quality impacts.
- **Special Waste Policy** - this policy guides engineering firms conducting environmental review how to evaluate special waste impacts.
- **Cost Overrun Policy** – to prevent cost overruns, a policy was established that once a rail project achieved 100 percent design, any cost overruns incurred would be borne by the railroad managing the project, subject to force majeure.

CREATE manuals and guidance are available at:

<http://www.idot.illinois.gov/doing-business/procurements/engineering-architectural-professional-services/Consultants-Resources/index>

**Bidding Process** – every CREATE project involving Federal funds must proceed through an open and transparent bidding process. For each job that will not be conducted with a railroad’s own workforce and requiring a bid solicitation, the bid notice is posted to the CREATE website with no less than three weeks of notice before submissions are due. CREATE has established an electronic mailing list that prospective contractors can join by sending an email to CREATE management or signing up on the website. When a new bid solicitation is posted to the CREATE website, an email notification is sent to all contractors that have signed up to be on the distribution list. When a project is awarded, the contractor and value of the contract is posted on the CREATE website.