



Florida Department of Transportation

RICK SCOTT
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

JIM BOXOLD
SECRETARY

January 26, 2016

Khoa Nguyen
Director, Office of Technical Services
Federal Highway Administration
3500 Financial Plaza, Suite 400
Tallahassee, Florida 32312

Re: State Specifications Office
Section **007**
Proposed Specification: **SP0071104RR Legal Requirements and Responsibility to the Public – Operations within the Railroad Right-Of-Way.**

Dear Mr. Nguyen:

We are submitting, for your approval, two copies of the above referenced Supplemental Specification.

The changes are proposed by Michael Dowell of the State Rail Office to accommodate Norfolk Southern (NS) requirements for contractors working in their right-of-way and to combine the existing Special Provisions for CSX, FEC and Department-owned rail corridor requirements into a single document.

Please review and transmit your comments, if any, within two weeks. Comments should be sent via email to daniel.scheer@dot.state.fl.us.

If you have any questions relating to this specification change, please call me at 414-4130.

Sincerely,

Signature on file

Daniel Scheer, P.E.
State Specifications Engineer

DS/ot

Attachment

cc: Florida Transportation Builders' Assoc.
State Construction Engineer

**LEGAL REQUIREMENTS AND RESPONSIBILITY TO THE PUBLIC – OPERATIONS
WITHIN THE RAILROAD RIGHT-OF-WAY.**

(REV ~~10-711-612-14-151-125-16~~)

SUBARTICLE 7-11.4 is deleted and the following substituted:

7-11.4 Operations Within Railroad Right-of-Way:

7-11.4.1 Notification to the Railroad Company:

7-11.4.1.1 CSX Transportation (CSXT), Norfolk Southern (NS), and Department-Owned Rail Corridors: ~~Notify~~ Submit written notification to the Engineer at least 72 hours before beginning any operation within the limits of the railroad right-of-way; any operation requiring movement of employees, trucks, or other equipment across the tracks of the railroad company at other than an established public crossing; and any other work that may affect railroad operations or property.

7-11.4.1.2 Florida East Coast Railway (FEC): Submit written notification ~~Notify~~ to the Chief FEC Engineer or authorized Railway Representative at least 72 hours before beginning any operation within the limits of the railroad right-of-way; any operation requiring movement of employees, trucks, or other equipment across the tracks of the railroad company at other than an established public crossing; and any other work that may affect railroad operations or property.

Contact the FEC Signal Office at 904-279-3182 at least 30 days prior to any traffic signal work within 500 feet of a signalized, at-grade, rail-highway crossing.

7-11.4.2 Contractor's Responsibilities: Comply with ~~whatever~~ requirements deemed necessary by the railroad company's ~~an~~ authorized representative ~~of the railroad company deems necessary in order~~ to safeguard the railroad's property and operations. Do not perform temporary lane closures, lane shifts or detour routes within the railroad company right-of-way without railroad approval.

- The Contractor is responsible for all damages, delays, or injuries and all suits, actions, or claims brought on account of damages or injuries resulting from the Contractor's operations within or adjacent to railroad company right-of-way.

7-11.4.2.1 CSXT: Comply with the Construction Submission Criteria of the CSXT Public Project Information document and Construction Requirements sections of the CSXT Pipeline and Wireline Design and Construction Specifications prior to beginning work. These documents are available at the following URL:

<http://www.dot.state.fl.us/programmanagement/Implemented/URLinSpecs/Files/CSXspecs.pdf>.

7-11.4.2.2 NS: Comply with the NS Special Provisions for Protection of Railway Interests (Appendix E) and the Construction Requirements (Appendix 4.3) of the NS Public Projects Manual document prior to beginning and during all work. These documents are available at the following URL: http://www.nscorp.com/content/dam/nscorp/ship/shipping-tools/Public_Projects_Manual.pdf.

7-11.4.2.3 FEC: Complete the On-Track Contractor Roadway Worker Training Course for FEC Railway. Contact FEC Railway at 1-800-342-1131 for training information.

Costs incurred by the railroad for Contractor caused delays of ~~trains~~ that adversely impacting railway operations will be forwarded to the Contractor for payment. If the Contractor fails to pay said costs, the Department will deduct the amount from payments to be made to the Contractor.

7-11.4.3 Watchman or Flagging Services:

7-11.4.3.1 CSXT, NS, and FEC:

7-11.4.3.1.1 General: The railroad company will furnish protective services (i.e., watchman or flagging services) to ensure the safety of railroad operations during certain periods of the project. The Department will reimburse the railroad company for the cost thereof. Schedule work that affects railroad operations so as to minimize the need for protective services by the railroad company.

7-11.4.3.1.2 CSXT: Submit schedules and schedule changes to the Engineer so the Department can coordinate the scheduling of flagging resources. Projects with less than 20 consecutive days of flagging services require a CSXT short-term flagger and 45 days written advance notice. ~~Provide~~ Submit the 45 days written advance notice to the Engineer. Projects with 20 or more consecutive days of flagging services require a CSXT long term flagger. The Department will ~~provide~~ submit the 6 months written advance notice to CSXT.

7-11.4.3.1.3 NS: Submit schedules and schedule changes to the Engineer so the Department can coordinate the scheduling of flagging resources. Projects with less than 20 consecutive days of flagging services require a NS short-term flagger and 45 days written advance notice. ~~Provide~~ Submit the 45 days written advance notice to the Engineer. Projects with 20 or more consecutive days of flagging services require a NS long term flagger. The Department will ~~provide~~ submit the 6 months written advance notice to NS.

7-11.4.3.1.4 FEC: Contact FEC Railway at 1-800-342-1131, ext. 2377, to request signal locates and railroad watchmen or flagging services at least 72 hours prior to railroad right-of-way encroachments. When requesting railroad watchman or flagging services, ~~identify~~ identify the work as a Florida Department of Transportation project ~~when requesting railroad watchman or flagging services~~.

7-11.4.3.2 Department-Owned Rail Corridors: The Department will furnish protective services (i.e., watchman or flagging services) to ensure the safety of railroad operations during certain periods of the project.

For projects involving the South Florida Rail Corridor (SFRC), contact the South Florida Regional Transportation Authority (SFRTA) at 954-788-1788 at least 30 days prior to rail corridor right-of-way encroachments to coordinate the scheduling of flagging resources.

For projects involving the Central Florida Rail Corridor (CFRC), ~~provide~~ submit written advance notice to the Engineer at least 30 days prior to rail corridor right-of-way encroachments so the Department can coordinate the scheduling of flagging resources.

LEGAL REQUIREMENTS AND RESPONSIBILITY TO THE PUBLIC – OPERATIONS WITHIN THE RAILROAD RIGHT-OF-WAY.

(REV 1-15-16)

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Projects involving CSX Transportation, NS,
FEC, or operations within the
South Florida Rail Corridor and
the Central Florida Rail Corridor
Right-of-Way

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7-11.4.3.1.3 NS: Submit schedules and schedule changes to the Engineer so the Department can coordinate the scheduling of flagging resources. Projects with less than 20 consecutive days of flagging services require a NS short-term flagger and 45 days written advance notice. Submit the 45 days written advance notice to the Engineer. Projects with 20 or more consecutive days of flagging services require a NS long term flagger. The Department will submit the 6 months written advance notice to NS.

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