

0071104RR LEGAL REQUIREMENTS AND RESPONSIBILITY  
TO THE PUBLIC – OPERATIONS WITHIN THE RAILROAD RIGHT-OF-WAY  
COMMENTS FROM INTERNAL/INDUSTRY REVIEW

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Keith Waugh  
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Comments: (12-14-15)

Information contained in RR manuals referenced by URL links can be revised at any time by the Railroad Company. Only the information shown 7 days prior to the bid date should be applicable. Please add "Only information contained in this document seven days prior to receipt of bids is applicable." at the end of 7-11.4.2.1 and 7-11.4.2.2.

Response:

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Louis Bramblett  
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Comments: (12-14-15)

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. WHO is required to have this training? all workers? 1 person in the company? somebody onsite. if the rail is providing flagman why is this needed?

Response:

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John Ankeny  
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Comments: (12-15-15)

0071104RR Legal Requirements and Responsibility to the Public, There is no stipulation for emergency traffic signal repair that may encroach on the RxR R.O.W. but not interfere with the track. Can this be specified?

Response:

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Maria Irizarry  
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Comments: (12-21-15)

For consistency with eConstruction and the Department's paperless environment efforts, I suggest the following changes: 7-11.4.1.1: 1st sentence: Replace "Notify the Engineer..." with "Submit written notification to the Engineer..." 7-11.4.1.2: 1st sentence: Replace "Notify the Chief FEC Engineer..." with "Submit written notification to the Chief FEC Engineer..." 7-11.4.3.1.2 & 7-11.1.3.1.3: 3rd sentence: Change to "Submit the 45 days written advanced notice..." Last sentence: "The Department will submit the 6 month advanced notice..." 7-11.4.3.2: Last paragraph: "For project involving the Central Florida Rail Corridor (CFRC), submit written advanced notice to the Engineer..."

Response:

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Arlene Barnes  
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Comments: (12-23-15)

7-11.4 Operations within Railroad Right of Way - Revise Engineer to FDOT Railroad Coordinator. It is the responsibility of the Coordinator to be the contact with the Railroad and Contractor.

Response:

7-114.2 Contractors Responsibilities: "Do not perform temporary lanes closures, etc without railroad approval" - This is also the Railroad Coordinators responsibility, unless there is a specific example Mr. Dowell has in mind.

Response:

7-11.4.2.1 CSXT - change availability of link to [www.csx.com/aboutus/property/PublicProjectManual](http://www.csx.com/aboutus/property/PublicProjectManual). CSX frequently updates portions of the Manual thru out the year and this will give a better link to the latest information required. Other link will have to be updated by FDOT (?) periodically to stay on top of requirements.

Response:

7-11.4.3.1.2 CSXT – Revise Engineer to FDOT Railroad Coordinator. (2 locations)

Response:

General Notes Being specific to CSXT, NS, FEC looks to eliminate requirements for short lines within the state – how are these being addressed?

Response:

Would request revision to 7-13.4 – Insurance Requirements for Construction at Railroads – change from \$2 mil/\$6 mil to \$5 mil/\$10 mil.

Response:

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Brian Blair  
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Comments: (12-30-15)

The language in sections 7-11.4.1.1 and 7-11.4.1.2 should be reviewed for clarity. Perhaps removal of the semicolons and replacement with the word "including" would help: "Notify the Engineer at least 72 hours....within the limits of the railroad right-of-way including any operation requiring movement of employees, trucks,..."

Response:

Hyphenate all "right of way" references ("right-of-way"), for consistency with format in Section 1-3, Definitions.

Response:

Consider revising the following language in Section 7-11.2: "Contractor's Responsibilities: Comply with whatever the requirements an authorized representative of the railroad company deems necessary in order to safeguard the railroad's property and operations." This language is vague and has the potential to cause differences of opinion/interpretation in the field. Consider adding a reference document for each RR that describes the expectations in greater detail if possible.

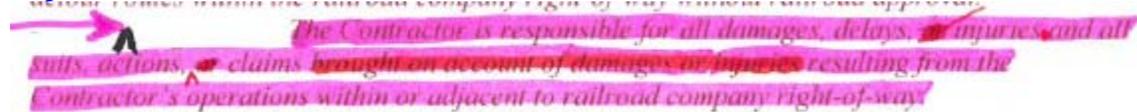
Response:

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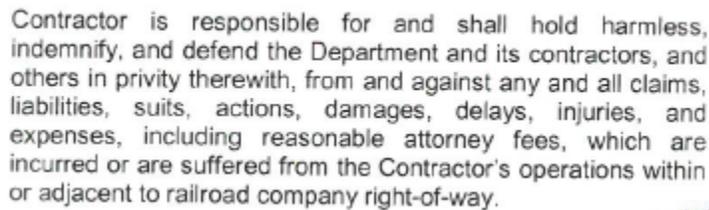
Art Berger  
Special Counsel, Construction

Comments: (12-30-15)

Replace



With



Response:

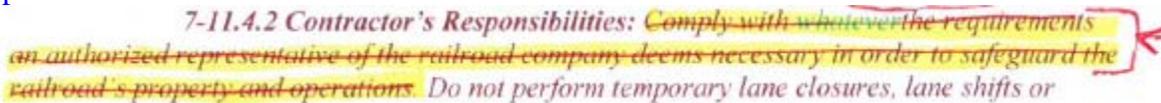
Hyphenate all "right of way" references ("right-of-way")

Response:

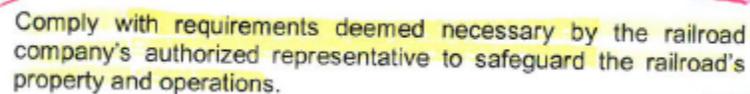
Hyphenate rail highway crossing or change to "railway-highway" crossing.

Response:

Replace



With



Response:

Contractor caused delays that adversely impact

SP0071104RR

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

to be

Costs incurred by the railroad for ~~delays of trains 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 made to the Contractor.

Response:

with 20 or more consecutive days of flagging services require a NS long term flagger. The Department will provide 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. Identify the work as a Florida Department of Transportation project. When requesting railroad watchman or flagging services

Response:

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Chad O. Rucks (via Deborah Ihsan)  
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Comments: (1-5-16)

1. Section 7-11.4 – The requirements are given in this section for notifications to railroad companies including CSX, FEC and NS (as well as District Owned Corridors). What would be required for notifications to other companies like South Central Florida Expressway.

Response:

2. Section 7-11.4.2 – In subsection 7-11.4.2.3 it indicates that to work in FEC’s ROW that workers must complete an On-track Contractor Roadway Training Course for FEC Railway. In sub-section 7-11.4.2.1 a similar requirement is not provided for CSX. However, CSX does require workers in their ROW to complete the On-track Safety Course. I recommend adding this requirement to 7-11.4.2.1.

Response:

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Brian J Gibbs  
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Comments: (1-4-16)

The changes proposed are to supposedly accommodate a request by NS and combine provisions into a single document however that is not what this does. 7-11.4 is very general in nature and to me that is the way it should be. The current spec forces the FDOT to manage the contract relationship which is pivotal. The truth of the matter is that even with the spec as it is written, the rail companies are not cooperative. What you are proposing is alterations specific to each individual rail owner and a direct relationship between said rail owners and the contractor.

Considering the current contract required relationship involves the FDOT's direct involvement and there are a million issues across the State, the creation of any spec that forces a one on one relationship with Contractor and rail owner is a terrible idea. I disagree with all and my opinion would be to leave the spec as is...

**Response:**

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Felipe Jaramillo  
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Comments: (1-4-16)

Contractors need information to provide an accurate bid. I still recommend the railroad provide their requirements before the bid. Any adjustments above or below the initial requirements can be handled by the change in work specifications.

**Response:**

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