

SP0071104FEC LEGAL REQUIREMENTS AND RESPONSIBILITY TO THE PUBLIC –
OPERATIONS WITHIN THE RAILROAD RIGHT OF WAY
COMMENTS FROM INTERNAL/INDUSTRY REVIEW

Nadir Rodrigues
FDOT
954-777-4385

Comments: (1-13-15)

1. Contact FEC Railway at 1-800-342-1131 For Consistency, I suggest this to be: Contact FEC Railroad at...

Response:

2. Currently written: 7-11.4.1 Notification to the Railroad Company: Notify the superintendent of the railroad company, as shown on the plans, and the Chief Florida East Coast Railroad (FEC) Engineer or authorized Railroad Representative at... Propose to swap the word Chief to be in front of Engineer, as shown below: 7-11.4.1 Notification to the Railroad Company: Notify the superintendent of the railroad company, as shown on the plans, and the Florida East Coast Railroad (FEC) Chief Engineer or authorized Railroad Representative at

Response:

Christopher Lewis
FDOT
850-414-5268

Comments: (1-14-15)

7-11.4.3 Watchman or Flagging Services - should the word "Flagging" be changed to "Flagman" to be consistent with other Department Manuals? (i.e., watchman or flagging services) - same for "flagging" change to "flagman".

Response:

Alan Autry
FDOT
850-414-4195

Comments: (1-14-15)

7-11-4.1 and 7-11.4.3 Suggest the phone numbers (and extension numbers) be removed and replaced with a "fill in the blank". Since these numbers may change from time to time, this will ensure that the developer of the specification package is inserting current, working numbers close to time of bid.

Response:

Comments: (1-16-15)

1. 7-11.4.1 - Why is "as railroad synchronization circuitry may be inter-connected with the traffic signal preemption circuitry at a common junction box" needed in this sentence. Suggest this be revised to "Contact the FEC Signal Office at (Insert a "FILL IN THE BLANK" for phone

number) at least 30 days prior to any traffic signal work within 500 feet of a signalized, at grade, rail highway crossing."

Response:

2. 7-11.4.2 - Existing language requires the Contractor to comply with "whatever requirements an authorized representative of the railroad company deems necessary". This seems to be an overly subjective, open-ended, very much undefined requirement. How is the Contractor to bid the requirements if they are not outlined in the contract? Suggest that all requirements of the railroad be defined in the contract documents.

Response:

3. 7-11.4.2 - How can the contractor locate information related to the On-Track Contractor Roadway Worker Training Course for FEC Railroad?

Response:

4. 7-11.4.2 - In the second paragraph "the Contractor's" is proposed as a deletion with regard to responsibilities for damages, delays, injuries, claims, etc resulting from operations within or adjacent to railroad company right-of-way. Suggest that this deletion not occur so that the specification is clear that the contractor is responsible for "the Contractor's operations".

Response:

5. 7-11.4.2 - Is "Delay of Train" defined? What constitutes a "delay of train"? Who determines when a "delay of train" has occurred and what criteria is used to establish a "delay of train"?

Response:

Dan Scheer
FDOT
850-414-4130

Comments: (1-22-15)

In 7-11.4.2: Change the word 'May' in the last sentence to 'will'.

Response:

D5 Construction

Comments: (1-27-15)

7-11.4.2 Should the may deduct be shall deduct? 7-11.4.2 Costs incurred by the railroad for "Delay of Train" will be forwarded to the Contractor for payment. If the Contractor fails to pay said costs, the Department Shall deduct the amount from payments made to the Contractor.

Response:

Neil Monkman
239-462-7371
neil.monkman@wrightg.com

Comments: (2-6-15)

I feel the proposed changes to the specification are a well-considered improvement and have no other comments.

Response:

D4 Construction

Comments: (2-9-15)

1. (Alice Custis, D4 Treasure Coast, 772-465-7396, Alice.Custis@dot.state.fl.us)

7-11.4.1 – Recommend adding “in writing” after “notify” such that the first sentence reads: “Notify in writing the Chief Florida....”

Response:

2. (Etienne Bourgeois, Project Oversight, Office 772.429.4821, Cell 772.925.2127, Etienne.Bourgeois@dot.state.fl.us)

This revised spec is specific to work within the FEC right-of-way. It should also address work within CSX, Sunrail, and any other rail owners in the state.

Response:

3. (Jose Kandarappallil, Project Oversight I, D4 - Treasure Coast Operations, 772-429-4936, Kandarappallil.Jose@dot.state.fl.us)

a. 7-11.4.2: Recommend modifying the Second sentence such that it defines who from the Contractor is responsible to take the required course, such as stating “Contractor’s job superintendent or Foreman shall complete the On-Track Contractor Roadway Worker Training Course for FEC Railroad.”

Response:

b. 7-11.4.2: Recommend modifying Paragraph 3 such that the sentence that currently states “Costs incurred by the railroad for “Delay of Train” will be forwarded to the Contractor for payment,” to instead state “Contractor to pay costs incurred by the railroad for “Delay of Train”.

Response:

4. (Katherine Kehres, Construction Engineer, Treasure Coast Operations, 772 429-4889, Katherine.Kehres@dot.state.fl.us)

7-11.4.3 – The last section requires contacting FEC for flaggers or watchmen when railroad right of way encroachments are planning to occur (“72 hours prior to railroad right of way encroachments”). Railroad watchmen have also been required on projects when working with equipment adjacent to the right of way that has the potential to foul the tracks or working overhead (bridge crossing) of a track. Perhaps this section should be elaborated on to provide further requirements when working in the vicinity of the right of way

Response:
