

Relations with Railroad Company – Soo Line Railroad Company (d/b/a Canadian Pacific Railway Company).

A Railroad Highway Grade Separation

The construction of the highway overpass bridges, more particularly described as structures B-40-285 NB, B-40-285 SB, B-40-1121, and B-40-1423 shall be construed to be a railroad-highway grade separation project. The contractor's attention is directed to 107.17 of the standard specifications for all work affecting Soo Line Railroad Company property and tracks.

B Insurance (Railroad Protective Liability Policy)

In addition to any other forms of insurance or bonds required, the contractor shall provide for and in behalf of the Soo Line Railroad Company, (named insured), insurance for Bodily Injury Liability, Property Damage Liability, and Physical Damage to Property Liability.

Evidence of the required coverage shall be furnished to each party as follows:

Canadian Pacific Railway Company
501 Marquette Avenue South, Suite 635
Minneapolis, MN 55402
Attention: James Krieger

Required coverages, durations and provisions governing the furnishing of Railroad Protective Liability insurance are prescribed in 107.17.3 of the standard specifications

C Work by Railroad

The following work will be performed by the railroad and, except as otherwise specifically designated elsewhere in these special provisions, will be accomplished without cost to the contractor: None

Information to Bidders - Soo Line Railroad Company (d/b/a Canadian Pacific Railway Company).

A Description

The following information on protection of railroad traffic and property is merely set forth as a convenience to bidders to convey to them information in the possession of the department and shall in no way relieve the contractor of the requirements of 107.17 of the standard specifications.

B Name and Address of Railroad Representative

The railroad company representative who may be consulted by bidders and contractors with regard to railroad requirements during construction is James Krieger, Engineer Public Works, Canadian Pacific Railway Company, 501 Marquette Avenue South, Suite 635, Minneapolis, MN 55402, Telephone (612) 904-5994.

C Train Operation

Approximately 4 switching movements occur daily (Monday through Friday) through the construction site. Switch trains operate at approximately 10 mph.

D Railroad Flagger

The purpose of flagging is to ensure the safety of railroad operations. The contractor shall arrange with the railroad for the flagging of trains and safety of railroad operations under the following conditions:

1. Whenever construction operations will or may encroach within 25 feet of the centerline and less than 22 feet vertically above the top of rail of any track or tracks, including:
 - pile driving operations
 - the placing or removal of falsework, bracing, sheeting or forms, etc., except when setting deck reinforcing steel and similar activities conducted after form work is in place and the track zone is protected from above
 - placing cofferdams, sheeting, or forms
 - constructing permanent structures or substructures over or adjacent to a track
2. When trucks or machinery will be operated within 25 feet of the centerline of and less than 22 feet vertically above the top of rail from any track or tracks.
3. Where cranes will be swinging or will be handling materials or equipment within 25 feet of the centerline of any track or tracks.
4. When construction operations are in proximity of power lines or railroad signal and communication lines, underground cables, fuel oil facilities or pipe lines which might result in fire or damage to such facilities, danger to railroad operations or danger to the public in the transaction of business on railroad premises.
5. When excavation, tunneling, blasting, pile driving, placing or removing cofferdams or

sheeting, or similar activities might cause the railroad's tracks or buildings to be undermined, heaved out of normal level, shifted out of alignment, or otherwise impaired.

6. Bridge painting activities including rigging of falsework, scaffolding or similar activities within 25 feet of the centerline of any track or tracks.
7. Deck removal activities within 25 feet horizontally of the centerline of any track or tracks.
8. Pouring of bridge decks in spans over an operated track.
9. When at any other time, in the judgment of the railroad's representatives, the contractor's work or operations constitutes an intrusion into the track zone and creates an extraordinary hazard to railroad traffic, and at any other time when flagging protection is necessary for safety to comply with the operating rules of the railroad.

Projects with concurrent activity may require more than one flagger.

Projects with heavy contractor activity within 25 feet horizontally of the centerline of any track or tracks or unusual or heavy impact on railroad facilities will normally require a full-time flagger.

Storage of materials or equipment within 25 feet horizontally of the centerline of any track or tracks will not be allowed.

To the extent practicable, the department and railroad will monitor the contractor's operations for compliance with the above flagging requirements. Violations may result in the contractor being removed from railroad property until the contractor makes arrangements to adhere to the flagging requirements and satisfies the railroad company that there will be no further violations. If the railroad imposes additional flagging requirements beyond the above flagging requirements due to the previous violations of the contractor, the contractor shall bear all costs of the additional flagging requirements.

E Minimum Allowable Clearances from Track

Temporary fixed object clearances during construction (such as to falsework or form work for example) shall be not less than 7-feet 0-inches plus 1.5 inches per degree of track curvature horizontally from the centerline of any track nor less than 21-feet 0-inches vertically above top of rail, plus compensation for superelevated track, except as specifically approved by James Krieger of Canadian Pacific Railway Company.

F Estimated Cost of Flagging

Delete the third paragraph of 107.17.1 of the standard specifications and replace it with the following: Comply with the railroad's rules and regulations regarding operations on railroad right-of-way. If the railroad's chief engineering officer requires, arrange with the railroad to obtain the services of qualified railroad employees to protect railroad traffic through the work. Make payment for these services directly to the railroad. The cost of these services, except at private crossings will be borne equally by the contractor and the department; however, the contractor shall make full payment thereof directly to the railroad. Notify the railroad's chief engineering officer in writing at least 3 business days before starting work near a track. Provide the specific time planned to start the operations.

The contractor will be reimbursed by the department for fifty percent of the cost of such services after the completion of the work requiring flagging protection as provided in Subsection D above based on paid railroad invoices. The cost of flagging shall be determined using the prevailing hourly rates in effect at the time the service is performed for the class of person assigned for an eight-hour day, including any reasonable mileage and expense as may be authorized under railroad-employee agreements. Estimated cost for flagging for an 8-hour day is as follows:

<u>No. of People</u>	<u>Title of Classification</u>	<u>Rate of Pay for 8-hour day*</u>
1	T&E	\$500

* Includes labor surcharges, travel time, and vehicle or mileage allowance. The contractor is responsible for determining actual costs which will be billed by the railroad.

Time and one-half rates shall apply for all time worked before or after assigned hours and for all time worked on Saturdays, Sundays, and holidays. Any additional expense to the railroad for meals, etc., due to requirement for extended periods of service beyond assigned hours and travel time will also be billed when required under the terms and conditions of the railroads labor agreement or otherwise justified.

Wage rates are subject to change at any time by law or by agreement between the company and its employees. The labor surcharges, overhead and indirect cost are also subject to change. The contractor is responsible for knowing the requirements of the railroad for arranging and terminating flagging services and all associated costs of these services. The contractor is responsible for paying flagging charges that are in effect at the time flagging services are provided.

G Payment for Flagging

1. Contractor shall notify the railroad when the work is completed and shall request a final bill from the railroad.
2. The railroad is responsible for issuing a final bill to the contractor.
3. Contractor shall promptly pay the railroad flagging bill, less any charges which may be in dispute.
4. The department will withhold flagging expense reimbursement from the contractor until any disputed charges are resolved and the final bill is paid.
5. The contractor will receive no reimbursement for flagging that results from the contractor's violation of Subsection D requirements.