

Railroad Flag Protection Services Overview:

1. Flagging services will not be provided until the contractor's insurance has been reviewed & approved by the Railroad.

2. The Railroad has sole authority to determine the need for flagging required to protect its operations. In general, the requirements of such services will be whenever the Contractor's personnel or equipment are likely to be, working on the Railroad's rights of way, or across, over, adjacent to, or under a track, or when such work has disturbed or is likely to disturb a railroad structure or the railroad roadbed or surface and alignment of any track to such extent that the movement of trains must be controlled by flagging. If any element (workers, equipment, tools, scaffolding, etc.) may exist or fall within 50' (feet) of the edge of track, a form of railroad protection is necessary. The limits of the Railroad Protection Liability Insurance are 2 million per occurrence and a 6 million aggregate. The certificate of insurance should list the location of the project as well as the name of the railroad

3. Levels of Railroad Protection

a. Orange Construction Fence: A contractor project that will enter the 50 foot area, measured from the edge of the track, but no element of the project will be closer than 12 feet from the centerline of the railroad track, will require a railroad representative to install an orange construction fence. This policy will only be allowed provided that the fence is erected and serving its intended function in advance of start of work. It will be the responsibility of the contractor to inspect and relay to the Railroad Representative that the fence is erect and serving its intended purpose to act as a barrier to prevent men and equipment from invading the on track safety policy before allowing work to proceed or continue.

FCEN internal policy: agent will issue a daily operating bulletin (DOB) message listing the milepost location(s) of the contractor work project advising trains and OTE: sound horn and be on the lookout for men & equipment working near the main track (end DOB message).

Orange Construction Fence installation, inspections and removal cost: \$507.50 per site

b. Flag Protection: Contractor work projects that will foul a track within a 15' foot area measured from the centerline of the track will be required at a minimum to have daily operating bulletin flag protection against train and OTE movements. Each train or OTE movement will stop short of the identified work location and not proceed until confirmation between the Contractor point of contact (POC) and the railroad representative (EIC) has been made.

FCEN internal policy: agent will issue a DOB message listing the milepost location(s) of the contractor work project advising trains and OTE:

BETWEEN (HOURS AND DATE) TRAINS MUST STOP AT (MP) ____
ACCOUNT (CONTRACTOR EQUIPMENT CROSSING MAIN TRACK) UNLESS
ORAL PERMISSION IS RECEIVED FROM (RR EMPLOYEE) AT THIS LOCATION
Conditional stop signs will be placed at the listed MP locations.

Flag Protection cost per 12 hours: \$746.00

c. Flagman: The Contractor may request or Railroad Representative may make the determination that a flagman or flagmen be present during the work project. Common situations involving the requirement of a flagman in place are bridge work with overhead lifting, excavation affecting the track structure or demolition that could result in damage to railroad property. Normally, the Railroad will assign one flagman to a project; but in some cases, more than one may be necessary, such as yard limits. However, if the Contractor works within distances that violates instructions given by the Railroad's authorized representative or performs work that has not been scheduled with the Railroad's authorized representative, a flagman or flagmen may be required until the project has been completed.

FCEN internal policy: agent will issue a DOB message listing the milepost location(s) of the contractor work project advising trains and OTE:

EFFECTIVE (TIME) (DATE) (MAIN or SIDING) TRACK (SUBDIVISION) BETWEEN (MP) AND (MP) HAS BEEN TURNED OVER TO EMPLOYEE DESIGNATED BELOW THE DESIGNATED TRACK WILL NOT BE ENTERED BY TRAINS OR ON-TRACK EQUIPMENT EXCEPT AS PERMITTED BY (RR EMPLOYEE-IN-CHARGE NAME) ALL MOVEMENTS WILL BE MADE UPON INSTRUCTIONS OF THE EMPLOYEE IN CHARGE AND BE MADE AT RESTRICTED SPEED NOT EXCEEDING 20 MPH.

Flagman Protection cost per 12 hours: \$1517.50 per flagmen employee.

4. Scheduling and Notification:

a. Not later than the time that approval is initially requested to begin work on Railroad rights of way, Contractor shall furnish to the Railroad a schedule for all work required to complete the portion of the project within Railroad rights of way and arrange for a job site meeting between the Contractor and the Railroad's authorized representative. Flag protection may not be provided until the job site meeting has been conducted and the Contractor's work scheduled.

b. The Contractor will be required to give the Railroad representative at least 10 working days of advance written notice of intent to begin work within Railroad rights of way. Once begun, when work is suspended at any time for any reason, the Contractor will be required to give the Railroad representative at least 72 hours in advance before resuming work on Railroad rights of way. Such notice shall include sufficient details of the proposed work to enable the Railroad representative to determine if flag protection will be required. If flag protection is required, no work shall be undertaken until the railroad representative is present at the job site.

c. If, after the flagman is assigned to the project site, emergencies arise which require the flagman's presence elsewhere, and then the Contractor shall delay work on Railroad rights of way until such time as the flagman is again available. Any additional costs resulting from such delay shall be borne by the Contractor and not the Railroad.

d. When demobilizing, the Contractor shall contact the Railroad Representative to avoid unnecessary flagging protection. This communication shall be documented.