

ORINATION FORM

Proposed Revisions to the Specifications

(Please provide all information - incomplete forms will be returned)

Date:

Office:

Originator:

Specification Section:

Telephone:

Article/Subarticle:

email:

****Will the proposed revision require changes to:**

Publication	Yes	No	Office Staff Contacted and date contacted
Standard Plans Index			
Traffic Engineering Manual			
FDOT Design Manual			
Construction Project Administration Manual			
Basis of Estimate/Pay Items			
Structures Design Guidelines			
Approved Product List			
Materials Manual			

**This section must be completed prior to processing proposed revisions.

Will this revision necessitate any of the following:

Design Bulletin

Construction Bulletin

Estimates Bulletin

Materials Bulletin

Are all references to external publications current?

Yes

No

If not, what references need to be updated? (Please include changes in the redline document.)

Why does the existing language need to be changed?

Summary of the changes:

Are these changes applicable to all Department jobs?

Yes

No

If not, what are the restrictions?

Contact the State Specifications Office for assistance in completing this form.

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SECRETARY

M E M O R A N D U M

DATE: June 18, 2020
TO: Specification Review Distribution List
FROM: Daniel Strickland, P.E., State Specifications Engineer
SUBJECT: Proposed Specification: 0071104 LEGAL REQUIREMENTS AND RESPONSIBILITY TO THE PUBLIC.

In accordance with Specification Development Procedures, we are sending you a copy of a proposed specification change.

The changes are proposed by Catherine Bradley to clarify the requirements for specific railroads.

Please share this proposal with others within your responsibility. Review comments are due within four weeks and should be sent to Mail Station 75 or online at <http://fdotewp1.dot.state.fl.us/programmanagement/development/industryreview.aspx> . Comments received after **July 16, 2020**, may not be considered. Your input is encouraged.

DS/jj

Attachment

LEGAL REQUIREMENTS AND RESPONSIBILITY TO THE PUBLIC
(REV 3/26/20)

SUBARTICLE 7-11.4 is deleted and the following is substituted:

7-11.4 Operations within Railroad Right-of-Way: Submit written advanced notification of the flagging services and railroad right-of-way access required, construction timeframe, and duration to the Engineer and District Rail Office at least 45- calendar days prior to beginning any operation within the limits of the railroad right-of-way or the adjoining 15 feet. Operations include the movement of employees, equipment, and trucks in areas other than public crossings or any traffic signal work within 500- feet of a signalized at-grade railroad crossing. The Railroad Company will notify the District Rail Office when flaggers are available for use in project scheduling.

No operations shall be conducted that affect railroad operations and property without written approval from the railroad.

~~7-11.4.1 Notification to the Railroad Company: Notify the superintendent of the railroad company, as shown in the Plans, and 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.~~

7-11.4.1.1 CSX Transportation (CSXT), Norfolk Southern (NS) and Department-Owned Rail Corridors: 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 to the Chief FEC Engineer or authorized Railway Representative in addition to the requirements in Section 7-11.4.1. Contact the FEC Signal Office at 904-279-3182 and FEC Railway at 1-800-342-1131, ext. 2377.

7-11.4.1.3 Florida Gulf and Atlantic Railroad (FGA): Submit written notification to the authorized Railroad Representative in addition to the requirements in Section 7-11.4.1. Contact FGA at 615-791-0630.

7-11.4.2 Contractor's Responsibilities: ~~Comply with whatever requirements an authorized representative of the railroad company deems necessary in order to safeguard the railroad's property and operations.~~ Do not perform work within or adjacent to the railroad right-of-way without a flagger present (including temporary lane closures, lane shifts or detours). Comply with requirements deemed necessary by the railroad company's authorized representative to safeguard the railroad's property and operations.

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. The work includes all items necessary to relieve the flagger from providing protective services.

Costs incurred by the Railroad Company for Contractor-caused delays that adversely impact railway operations will be forwarded to the Contractor for payment. If the Contractor fails to pay said cost, the Department will deduct the amount from payments owed to the Contractor.

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:
<https://www.fdot.gov/programmanagement/Implemented/URLinSpecs/CSXT.shtm>.

Perform no work within the limits of the railroad right-of-way on CSXT holidays (except with permission of CSXT for emergencies such as natural disasters). CSXT holidays are New Year's Day, President's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and the following Friday, Christmas Eve, Christmas Day, and New Year's Eve. Holidays falling on Saturday are observed on Friday and those falling on Sunday are observed on Monday.

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](http://www.nscorp.com/content/dam/nscorp/ship/shipping-tools/Public%20Projects%20Manual.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.

7-11.4.2.4 FGA: Complete the On-Track Contractor Roadway Worker Training Course for FGA Railroad. Contact FGA Railroad at 1-615-791-0630 for training information.

7-11.4.2.5 Department-Owned Rail Corridors:

7-11.4.2.5.1 South Florida Rail Corridor (SFRC): Complete the On-Track Contractor Roadway Worker Training Course for South Florida Regional Transportation Authority (SFRTA) Railway. Contact SFRTA at 954-788-7920 for training information.

7-11.4.3 Watchman or Flagging Services: 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.

Submit construction schedules and schedule changes to the Engineer and District Rail Office which include an estimated start date, weekly construction schedule, daily hours of operation, and the calendar day duration for which flagging services will be necessary to perform work activities within railroad right-of-way.

7-11.4.3.1 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 the Central Florida Rail Corridor (CFRC) and the SFRC.