



Florida Department of Transportation

RICK SCOTT
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

JIM BOXOLD
SECRETARY

June 19, 2015

Khoa Nguyen
Director, Office of Technical Services
Federal Highway Administration
545 John Knox Road, Suite 200
Tallahassee, Florida 32303

Re: State Specifications Office
Section **007**
Proposed Specification: **SP0071104FRC Legal Requirements and Responsibility to the Public – Operations with the Department-owned Rail Corridor Right-of-Way.**

Dear Mr. Nguyen:

We are submitting, for your approval, two copies of the above referenced Special Provision.

The changes are proposed by Michael Dowell of the State Rail Office to change timeframes and contact process for flagging for projects that include operations within the South Florida Rail Corridor or the Central Florida Rail Corridor right-of-way.

Department now owns the South Florida Rail Corridor and the Central Florida Rail Corridor as of March 31, 2015.

Please review and transmit your comments, if any, within two weeks. Comments should be sent via email to daniel.scheer@dot.state.fl.us.

If you have any questions relating to this specification change, please call me at 414-4130.

Sincerely,

Signature on file

Daniel Scheer, P.E.
State Specifications Engineer

DS/ot
Attachment

cc: Florida Transportation Builders' Assoc.
State Construction Engineer

**LEGAL REQUIREMENTS AND RESPONSIBILITY TO THE PUBLIC – OPERATIONS
WITHIN THE DEPARTMENT'S-OWNED RAILROAD CORRIDOR RIGHT-OF-WAY.**
(REV ~~4-132025-8126-17-15~~)

SUBARTICLE 7-11.4.3 is deleted and the following substituted:

~~7-11.4 Operations Within the Department's Railroad Right of Way:~~
~~7-11.4.1 Notification to the Department: Notify 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 Department's railroad at other than an established public crossing; and any other work that may affect the Department's railroad operations or property.~~
~~7-11.4.2 Contractor's Responsibilities: Comply with requirements an authorized representative of the Department's railroad deems necessary in order 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 the Department's railroad right of way.~~
7-11.4.3 Watchman or Flagging Services: *The Department's railroad will furnish protective services (i.e., watchman or flagging services) to ensure the safety of railroad operations during certain periods of the project.*
For projects involving the South Florida Rail Corridor (SFRC)Tri-Rail, contact the South Florida Regional Transportation Authority (SFRTA) at 954-788-1788 at least 30 days prior to rail corridor right-of-way encroachments toProvide 15 days written advance noticeSubmit schedules and schedule changes to the Engineer so the Department can coordinate the scheduling of flagging resources. Projects with less than 20 consecutive days of flagging services require a short-term flagger and 45 days written advance notice. Provide the 45 days written advance notice to the Engineer. Projects with 20 or more consecutive days of flagging services require a long term flagger.
For projects involving the SunRailCentral Florida Rail Corridor (CFRC), provide at least 30 days written advance notice to the Engineer at least 30 days prior to rail corridor right-of-way encroachments so the Department can coordinate the scheduling of flagging resources.

**LEGAL REQUIREMENTS AND RESPONSIBILITY TO THE PUBLIC – OPERATIONS
WITHIN THE DEPARTMENT-OWNED RAIL CORRIDOR RIGHT-OF-WAY.**

(REV 6-17-15)

SUBARTICLE 7-11.4.3 is deleted and the following substituted:

7-11.4.3 Watchman or Flagging Services: 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 projects involving the South Florida Rail Corridor (SFRC), contact the South Florida Regional Transportation Authority (SFRTA) at 954-788-1788 at least 30 days prior to rail corridor right-of-way encroachments to coordinate the scheduling of flagging resources.

For projects involving the Central Florida Rail Corridor (CFRC), provide written advance notice to the Engineer at least 30 days prior to rail corridor right-of-way encroachments so the Department can coordinate the scheduling of flagging resources.