



Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

November 9, 2006

SUBJECT: FAP Route 805 (IL 161)
Project F-0805 (069)
Section 122VBR-I
St. Clair County
Contract No. 76558
Item No. 8, November 17, 2006 Letting
Addendum A

NOTICE TO PROSPECTIVE BIDDERS:

Attached is an addendum to the plans or proposal. This addendum involves revised and/or added material.

1. Revised page ii of the Table of Contents to the Special Provisions.
2. Added pages 106 - 122 to the Special Provisions.

Prime contractors must utilize the enclosed material when preparing their bid and must include any Schedule of Prices changes in their bidding proposal.

Bidders using computer-generated bids are cautioned to reflect any and all Schedule of Prices changes, if involved, into their computer programs.

Very truly yours,

Michael L. Hine
Engineer of Design
and Environment

A handwritten signature in cursive script, reading "Ted B. Walschleger" followed by a small "P.E." to the right.

By: Ted B. Walschleger, P. E.
Engineer of Project Management

cc: Mary C. Lamie, Region 5, District 8; Roger Driskell; R. E. Anderson;
Estimates; Design & Environment File

TBW:DB:jc

HAND VIBRATOR (BDE).....	58
IMPACT ATTENUATORS, TEMPORARY (BDE).....	59
PARTIAL PAYMENTS (BDE).....	61
PAVEMENT THICKNESS DETERMINATION FOR PAYMENT (BDE).....	62
PAYMENTS TO SUBCONTRACTORS (BDE)	68
PAYROLLS AND PAYROLL RECORDS (BDE).....	69
PERSONAL PROTECTIVE EQUIPMENT (BDE)	70
PLASTIC BLOCKOUTS FOR GUARDRAIL (BDE)	70
POLYUREA PAVEMENT MARKING (BDE).....	70
PORTABLE CHANGEABLE MESSAGE SIGNS (BDE)	77
PORTLAND CEMENT (BDE).....	78
PORTLAND CEMENT CONCRETE (BDE)	78
RAILROAD FLAGGERS (BDE)	78
RAISED REFLECTIVE PAVEMENT MARKERS (BRIDGE) (BDE).....	79
RAP FOR USE IN BITUMINOUS CONCRETE MIXTURES (BDE).....	79
REINFORCEMENT BARS (BDE)	83
STEEL PLATE BEAM GUARDRAIL (BDE)	84
SUBCONTRACTOR MOBILIZATION PAYMENTS (BDE).....	84
SUPERPAVE BITUMINOUS CONCRETE MIXTURES (BDE).....	85
TEMPORARY CONCRETE BARRIER (BDE)	91
TRAFFIC BARRIER TERMINALS (BDE)	93
TRAFFIC CONTROL DEFICIENCY DEDUCTION (BDE).....	94
TRUCK BED RELEASE AGENT (BDE)	95
WEIGHT CONTROL DEFICIENCY DEDUCTION.....	95
WORK ZONE SPEED LIMIT SIGNS (BDE)	96
WORK ZONE TRAFFIC CONTROL DEVICES (BDE)	97
WORKING DAYS (BDE)	98
STEEL COST ADJUSTMENT (BDE) (RETURN WITH BID).....	98
CHAIR SUPPORTS (BDE)	103
EROSION AND SEDIMENT CONTROL DEFICIENCY DEDUCTION (BDE)	103
TRAFFIC CONTROL AND PROTECTION STANDARD 701321, (SPECIAL).....	103
BRIDGE APPROACH PAVEMENT SPECIAL.....	104
TEMPORARY TRAFFIC SIGNAL INSTALLATION (SPECIAL)	104
REMOVING INLETS:.....	104
SEEDING:	104
POLICY AND PROCEDURES FOR WORK PERFORMED ON METROLINK R.O.W. WITH EXHIBITS A, B & D AND SECTION DETAILS	106

POLICY AND PROCEDURES FOR WORK PERFORMED ON METROLINK R.O.W. WITH EXHIBITS A, B & D AND SECTION DETAILS

 MetroLink Operations 700 South Ewing Street • Saint Louis, Missouri 63103-2902				
Operating Procedure	SOP #	Date:	Page 1 of 10	
Operations Department	101.17	August 1, 2006	REVISION	
Title: WORK PERFORMED ON METROLINK RIGHT OF WAY				
Classifications: OCC – Rail Dispatchers – Rail Systems - Facility & ROW Maintenance - Contractors				
Other Departments: Real Estate – Operation – Safety - Risk Management - Engineering & New Systems Development				
Issued by:				
 Chief of MetroLink Operations				
Supersedes: SOP 101.17 dated May 1, 2002				
<p>I. PURPOSE AND SCOPE</p> <p>The purpose of these requirements is to maintain a safe environment and efficient transit system for MetroLink customers, employees, and Contractors when work is being performed on the right-of-way.</p> <p>The following procedures and requirements must be carried out and satisfied by any individual or group requiring access to MetroLink Right-of-Way (ROW) to perform work on, under, above, across, or over MetroLink Right-of-Way that has the potential to impact train operations. MetroLink Right-of-Way is defined as Metro owned property along MetroLink Light Rail System, including main line and yards. Work performed on the Right-Of -Way outside of the area where trains operate that will not impact train operations, e.g. park and ride lots, is excluded from the scope of this procedure.</p> <p>This procedure is applicable to Contractors and Metro employees.</p> <p>MetroLink Land Maps showing Metro property lines and a MetroLink Alignment Schematic are available from the Rail Systems Department.</p>				
<p>II. ATTACHMENTS/EXHIBITS</p> <p>EXHIBIT A: MetroLink - Contractor Right-of-Way Temporary Work Permit.</p> <p>EXHIBIT B: Metro Permit Fee Schedule.</p> <p>EXHIBIT C: MetroLink Alignment Schematic (available upon request).</p> <p>EXHIBIT D: Indemnification Agreement and Required Insurance Coverage.</p> <p>EXHIBIT E: Metro Personnel Right of Way Work Permit. (For Metro Employees Only)</p> <p>EXHIBIT F: MetroLink Rail Systems Department Employee Safety Standards (available upon request)</p> <p>EXHIBIT G: Operations Rule Book (available upon request)</p>				

Added 11/09/2006



MetroLink Operations
 700 South Ewing Street • Saint Louis, Missouri 63103-2902

Operating Procedure	SOP #	Date:	Page 2 of 10
Operations Department	101.17	August 1, 2006	REVISION
Title: WORK PERFORMED ON METROLINK RIGHT OF WAY			

III. Definitions

Flag Person a Contractor or Metro Employee qualified to Tier 2 that is assigned as a dedicated flagger to protect work crews, personnel, and equipment working near the tracks to ensure safe passage of trains as described in SOP 103.04.

Fouling a Track means placement of an individual or an item of equipment in such proximity to the track that the individual or equipment could be struck by a moving train or on-track equipment, or in any case is within 8' 6" from the centerline of nearest in-service track.

Lookout is a Tier 2 qualified Metro employee who is qualified to provide warning to ROW workers of approaching trains or on-track equipment. Lookout should be equipped with the necessary equipment to warn ROW workers of approaching trains, as well as flagging equipment to be used if it is necessary to warn approaching trains. The Lookout's sole duty is to look for approaching trains or on-track equipment and provide at least 15 seconds advanced warning to employees before arrival of the trains or on-track equipment.

No Clearance Zone areas along the MetroLink Right of Way where there is not 8' 6" clearance from centerline of nearest track to nearest fixed object, e.g. wall, fence, bridge, steep embankment. Within these areas it is not possible for personnel to safely clear from fouling train movement. These areas are designated with reflective No Clearance signs on the right-of-way and by markings on the MetroLink Alignment Schematic.

Operating Right-of-Way is the area within twenty (20) feet of the centerline of any track on the main line.

Pilot is a Tier 3 qualified Metro employee assigned to facilitate track car or on-track equipment movement when the operator or driver is not qualified on the physical characteristics or rules of the portion of the alignment over which movement is to be made. The pilot will be responsible for the safe movement of on-track equipment for the work crew to which they are assigned.

Train Detection means a procedure by which a worker acquires ROW access safety by seeing approaching trains and leaving the track before the train arrives at the location at which they are working and which may be used only under certain conditions.

Added 11/09/2006



MetroLink Operations
 700 South Ewing Street • Saint Louis, Missouri 63103-2902

Operating Procedure	SOP #	Date:	Page 4 of 10
Operations Department	101.17	August 1, 2006	REVISION
Title: WORK PERFORMED ON METROLINK RIGHT OF WAY			

4. Contractor will complete annual required ROW Safety Training as described below based on the work to be performed. Re-certification is required annually.

If your work will include...	Then you need to attend this training.
Any work within MetroLink Right-of-Way	Tier 1
Flagging to protect work crews, personnel and equipment in the Right-of-Way	Tier 1, and Tier 2
Operating a track car on MetroLink	Tier 1, Tier 2, and Tier 3

5. Contractor will stop work in progress and immediately notify Metro if work in progress deviates in any way from the written plans submitted and approved by Metro.
6. Contractor operation may be shut down immediately by Operations, Rail Systems or Safety, with or without notice, at any time. Typical conditions under which this may occur include, but are not limited to:
- Failure to comply with any of the requirements identified in this SOP or other documents referred to within.
 - Safety related reasons.
 - Operations schedule-related reasons.
 - If work in progress deviates from the written work proposal approved by the Metro.
 - Flag person(s) not available.
 - Contractors' work interferes with the constant, continuous use of the tracks, property and facilities of MetroLink system, its employees, its customers or other Contractors working within the right-of-way.
 - Accidents, injuries, near misses, or vehicle damage.
 - Metro rule violations
7. All on track equipment (including HI-Rail Vehicles) must meet Federal Register 49 CFR, Part 214 standards, related to Roadway Maintenance Machine Safety. Contractor shall be required to submit a list of qualified operators, and which Roadway Maintenance Machines that they are qualified to operate on Metro. The Contractor shall provide, for Metro approval, documentation of their training and qualification process.
8. Contractor must satisfy all safety requirements including, but not limited to, those found in Exhibit F: METROLINK RAIL SYSTEMS DEPARTMENT EMPLOYEE SAFETY STANDARDS dated January 1996 and Exhibit G: MetroLink Operations Rule Book. Copies are available upon request from the Rail Systems Department.
9. Under no circumstances will Contractor access tracks with vehicles, equipment, or machinery, without explicit written permission of Metro.

Added 11/09/2006



MetroLink Operations
 700 South Ewing Street • Saint Louis, Missouri 63103-2902

Operating Procedure	SOP #	Date:	Page 5 of 10
Operations	101.17	August 1, 2006	REVISION
Title: WORK PERFORMED ON METROLINK RIGHT OF WAY			

10. These requirements should be followed for excavations:
- o Excavations to either side of tracks must be at least **twenty feet** from the centerline of track.
 - o Excavation under the tracks or removal of ballast is prohibited.
 - o Under-track cable installations must be bored.
 - o A minimum depth of 8 feet below top of ties shall be maintained at all times or 8 feet below flow line of ditch, whichever is greater, must be maintained to top of conduit(s).
 - o Conduit schedule Fiberglass Reinforced Epoxy (FRE) or equivalent is required.
 - o Excavations within 5 feet of either side of buried MetroLink signal, power, and communication cables must be performed by hand digging and with Rail Systems personnel present at the dig site.
 - o When cable work is being performed parallel to MetroLink right-of-way, cables shall be laid at the same depth as MetroLink cables. The location of the cables shall be between MetroLink cables and the property line, **not** towards the track.
 - o If cable locates are required, provide Dig No. on Exhibit A.

Note: Any exceptions to these requirements must have explicit written permission from the Superintendent of Track Maintenance.

11. Over-track crossings will be considered on a case-by-case basis. All over-track crossings must comply with both National Electric Safety Code (NESC) clearances and any MetroLink requirements imposed.
12. Contractor shall only enter MetroLink Right-of-Way with an approved Work Permit, unless otherwise approved by MetroLink Operations.
13. **Work performed by a Contractor on MetroLink Right-of-Way within 20 feet of the center line of an in service main line or yard will require a Temporary Restriction to be issued on the Daily Operating Clearance.**

If the Contractor is performing work outside of 20 feet of the center line of an in service main line or yard, if it is possible for equipment (e.g. boom, or hoisted equipment) has the potential to swing in to the operating ROW or has potential of making contact with the catenary, a temporary restriction may be required.

The temporary restriction requires a dedicated flag person be utilized to provide flag protection of the work crew(s). Speed Restriction Signs may need to be posted to identify the work zone to approaching trains. Refer to SOP 103.04 for more information on flagging requirements.

14. In the event that the Contractor disturbs, or modifies Metro's property in any manner, the Contractor must restore the property to the same condition it was in before the Contractor performed work. Such restoration must be to the satisfaction of the Superintendent of Operations and the Superintendent of Track Maintenance. Contractor will be billed for all work required to restore property to original condition.

Added 11/09/2006



MetroLink Operations
 700 South Ewing Street • Saint Louis, Missouri 63103-2902

Operating Procedure	SOP #	Date:	Page 6 of 10
Operations Department	101.17	August 1, 2006	REVISION
Title: WORK PERFORMED ON METROLINK RIGHT OF WAY			

15. Contractor must comply with all applicable federal, state, and local laws, regulations, and standards affecting their work.
16. As a limitation to any rights or licenses that may be granted to the Contractor, Metro reserves the right to use and maintain its entire property. This includes Metro's right to construct, maintain, repair, renew, use, operate, change, modify, or relocate railroad tracks, roadways, station platforms, signal, communication, fiber optics, power, or other wire lines, pipelines and other facilities upon, along or across any or all parts of its property. All or any of the above mentioned use and maintenance may be freely done at any time or times by Metro without liability to the Contractor or to any other party for compensation or damages.
17. The Contractor is required to comply with Metro's "Insurance Specifications for MetroLink Contractors" as per Exhibit D.
18. Metro reserves the right to fully investigate all Contractor accidents, injuries, near misses, or vehicle damage and the Contractor and its employees agree to comply and assist Metro in all aspects of these investigations. This includes, but is not limited to, drug and alcohol testing, employee interviews, written reports, and requests for documentation.

VI. CONTRACTORS PROCEDURE TO ACCESS METROLINK R.O.W.

1. Contractor requests Right-of-Way packet of information from Rail Systems department.

Rail Systems Track Department
 700 South Ewing
 St. Louis, MO 63103
 314-982-1400 X 2878, 2851, 2804
ROWworkpermit@metrostlouis.org
 Fax 314-335-3429
2. Rail Systems distributes SOP 101.17 with Exhibits A, B, and D to Contractor. Contractor may request Exhibits C, F, or G.
3. Contractor submits Permit Application Fee and MetroLink Contractor Right-of-Way Temporary Work Permit (Exhibit A) and supporting documentation as required within 30 days of proposed start date to Rail Systems Department. This may include drawings of the proposed project, detailed work plan, indemnification agreement and required insurance coverage as described in the Description of Insurance Specifications (Exhibit D).
4. Rail Systems distributes Permit to Real Estate, Risk Management and Safety Departments for approval and facilitates pre-project planning meeting with Contractor(s).
5. Rail Systems contacts Contractor with approval, permit number and necessary requirements for Tier 1-3 safety training. Permit numbers are assigned by Rail Systems as described in SOP 101.23.

Added 11/09/2006



MetroLink Operations
 700 South Ewing Street • Saint Louis, Missouri 63103-2902

Operating Procedure	SOP #	Date:	Page 7 of 10
Operations	Department	101.17	August 1, 2006
REVISION			
Title: WORK PERFORMED ON METROLINK RIGHT OF WAY			

6. Contractor completes required safety training:
 - Tier 1 Training: Persons working on or next to the MetroLink Right-of-Way.
 - Tier 2 Training: Flagging and Radio Use.
 - Tier 3 Training: Track Car Operation and Operating Rules

Notes:

1. *Contractors are required to be trained at a minimum of Tier 1 to enter ROW. All work performed by the Contractor on the operating ROW must be protected by a qualified flag person. An unqualified Contractor may be authorized to enter the alignment by Operations if escorted by a Metro Lookout.*
2. *Operators of track cars or on-track equipment on the MetroLink light rail system must be qualified to Tier 3, unless they are to be piloted by a qualified Metro Pilot. A Metro Tier 3 qualified Pilot is required to direct the operation of Contractor's track cars and on-track equipment, unless otherwise approved by Metro.*
7. **Contractor track cars must be piloted by a Metro Pilot qualified to Tier 3 of safety training.** The pilot will communicate with OCC and control the movement of track cars or group of track cars assigned to a single work crew. The Metro Pilot will be responsible for the safe movement of the on track equipment or track cars. The Metro Pilot requirement may be waived by Metro if it is determined that the operator has sufficient training and experience on the MetroLink alignment to safely operate track cars and on-track equipment.
8. Contractor submits Right-of-Way Temporary Work Permit (Exhibit A) with permit number no later than **Wednesday 12 Noon**, prior to the week the work will be accomplished. Permit must be submitted every week during the length of the proposed project. Metro may also request a detailed work plan be submitted if planned work is extensive, complicated, or poses significant hazards.

Note: *If there is a Metro recognized holiday on Thursday, the work permits are due on **Tuesday 12 Noon**.*

Note: *If the project proposal changes significantly, a new MetroLink Right-of-Way Temporary Work Permit (Exhibit A) must be submitted. A new Permit Number will be assigned after the Permit is approved.*

9. Contractor is required to attend weekly Track Allocation meeting scheduled for Thursday with Rail Systems and Operations to respond to questions regarding proposed work. The Contractor's Metro Project Manager may represent the Contractor at this meeting if previously arranged.

Note: *When the week includes a Metro recognized holiday on Thursday, the Track Allocation Planning meeting is scheduled for Wednesday.*

All work requests are subject to Metro Approval

Added 11/09/2006



MetroLink Operations
 700 South Ewing Street • Saint Louis, Missouri 63103-2902

Operating Procedure	SOP #	Date:	Page 8 of 10
Operations Department	101.17	August 1, 2006	REVISION
Title: WORK PERFORMED ON METROLINK RIGHT OF WAY			

Note: Scheduling of activities is subject to availability of Rail Systems, Facilities & ROW Maintenance, Operations and Safety personnel and customer service considerations based on the impact the proposed work has on service quality and train schedules.

Peak Operating Periods

Generally work requiring a temporary restriction will be allowed only during non-peak operating times. Non-Peak operating times are of Monday – Friday: 9:00 AM to 3:30 PM and 7:30 PM to the end of revenue service and all day on Saturday and Sunday.

Some work will be restricted to the after revenue service hours of 1:30 AM to 3:30 AM.

10. Rail Operations provides Contractor copy of approved temporary permit (Exhibit A), which must be available on the project site to confirm permission to occupy MetroLink Right-of-Way.
11. Contractor must contact OCC for permission to access prior to entering Metro right-of way. OCC has authority over all activity along MetroLink Right-of-Way at all times.
12. Once work is complete, and the work area is cleared of materials, equipment, tools, and personnel, the Contractor must contact OCC to advise that they are clear of the right-of-way.
13. Metro provides Contractor an invoice for appropriate fees upon completion of the work or on a monthly basis as necessary.
14. Contractor submits payments to Metro Accounting Department.

VII. METRO EMPLOYEE REQUIREMENTS AND PROCEDURE FOR ACCESS TO RIGHT-OF-WAY

This procedure is to be used by all Metro departments to receive temporary permit access to Metro Right-of-Way.

1. All Metro employees planning to enter the right-of-way are required to be safety trained to work on the MetroLink Right-of-Way. Employees must annually qualify for ROW Safety training as outlined below.
 - Tier 1 Training: Persons working on or next to the MetroLink Right-of-Way.
 - Tier 2 Training: Flagging and Radio Use.
 - Tier 3 Training: Hi-Rail Vehicles and Operating Rules

If employees are not qualified at a minimum Tier 2 (Flagging and Radio Use), they must be escorted by another employee qualified to Tier 2.

2. Submit completed Exhibit E: Metro Personnel Right-of-Way Permit to Rail Systems Department.
3. Permits reviewed and approved at weekly Track Allocation meeting by Rail Systems and Operations.

Added 11/09/2006



MetroLink Operations
 700 South Ewing Street • Saint Louis, Missouri 63103-2902

Operating Procedure	SOP #	Date:	Page 9 of 10
Operations Department	101.17	August 1, 2006	REVISION
Title: WORK PERFORMED ON METROLINK RIGHT OF WAY			

4. Operations department publishes the Track Allocation approval for the following week.
5. For unforeseen work such as emergencies or to perform minor corrections or routine inspections, OCC can authorize a Tier 2 Qualified Metro EMPLOYEE to access the track without an approved permit.
6. Work performed by an employee on MetroLink Right-of-Way within 20 feet of the center line of an in service main line or yard will require a Temporary Restriction be issued on the Daily Operating Clearance. Exceptions to the temporary restriction requirement for employees can be granted under the conditions listed in Item 7.

The temporary restriction requires a dedicated flag person be utilized to provide flag protection of the work crew(s). Speed Restriction Signs may need to be posted to identify the work zone to approaching trains. Refer to SOP 103.04 for more information on flagging requirements.

7. Work performed by Tier 2 qualified Metro employee does not require the issuance of a Temporary Restriction if one of the following Train Detection schemes is used:

a. *Worker(s) Use Train Detection to Clear Operating ROW 15 sec Prior to Arrival of Train*
 Train approach warning shall be given in sufficient time to allow worker(s) to move to and occupy a prearranged place of safety outside of the Operating ROW (more than twenty (20) feet from the centerline of any track on the main line) not less than 15 seconds before a train moving at maximum authorized speed can pass the location of the worker(s).

The following four conditions must be met:

1. Where worker(s) are performing minor corrections or routine inspections.
2. Where no power tools or equipment are being used in hearing range of the worker(s).
3. Where worker(s) are performing tasks that allows them to be attentive to train movement.
4. Where the ability of the worker(s) to hear and see approaching trains is not impaired by background noise, lights, precipitation, fog, passing trains or other obstructions or physical conditions.

If all four conditions cannot be met, a Lookout must be assigned to provide the worker(s) warning of approaching trains.

Trains can pass the location of the worker(s) at maximum authorized speed if worker(s) have cleared outside the operating ROW.

b. *Worker(s) Use Train Detection to Clear From Fouling a Track 1 5sec Prior to Arrival of Train.*

Added 11/09/2006



MetroLink Operations
 700 South Ewing Street • Saint Louis, Missouri 63103-2902

Operating Procedure	SOP #	Date:	Page 10 of 10
Operations	101.17	August 1, 2006	REVISION
Title: WORK PERFORMED ON METROLINK RIGHT OF WAY			

Train approach warning shall be given in sufficient time to allow worker(s) to move to and occupy a prearranged place of safety so that employee(s) or equipment are not fouling any in-service track (more than 8' 6" from the centerline of nearest in-service track) not less than 15 seconds before a train moving at maximum authorized speed can pass the location of the worker(s).

The following four conditions must be met:

1. Where worker(s) are performing minor corrections or routine inspections.
2. Where no power tools or equipment are being used in hearing range of the worker(s).
3. Where worker(s) are performing tasks that allows them to be attentive to train movement.
4. Where the ability of the worker(s) to hear and see approaching trains is not impaired by background noise, lights, precipitation, fog, passing trains or other obstructions or physical conditions.

If all four conditions cannot be met, a Lookout must be assigned to provide the worker(s) warning of approaching trains.

Trains must pass the location of the worker(s) at restricted speed if worker(s) have cleared so that they are not fouling the track, but have not cleared off of the Operating ROW. OCC must contact a minimum of the next two approaching trains on the affected track before authorizing work or movement in this area. If work is for an extended time period, OCC will notify approaching trains as necessary to protect the workers.

8. Working in a No Clearance Zone without a temporary restriction in place.

WARNING

Areas marked as NO CLEARANCE do not provide sufficient space for worker(s) to move to and occupy a prearranged place of safety so that employee(s) or equipment are not fouling any in-service track (more than 8' 6" from the centerline of nearest in-service track) not less than 15 seconds before a train moving at maximum authorized speed can pass the location of the worker(s).

No Clearance Zone is an area along the MetroLink Right of Way where there is not 8' 6" clearance from centerline of nearest track to nearest fixed object, e.g. wall, fence, bridge, steep embankment. Within these areas it is not possible for personnel to safely clear from fouling train movement. These areas are designated with reflective "No Clearance" signs on the right-of-way and by markings on the MetroLink Alignment Schematic.

For unforeseen or emergency situations to make minor repairs, or emergency inspections, OCC can authorize entry into No Clearance areas for short durations without the issuance of a temporary restriction, ONLY after ensuring train operations are stopped on the track(s) in the area where the worker will be located. Train operation in the affected area can only resume after OCC is advised by the worker(s) that they are no longer fouling the track on which the train will operate. If personnel remain within operating ROW, trains must pass the worker(s) at restricted speed.

Added 11/09/2006



Exhibit A
MetroLink Contractor - Right of Way Temporary Work Permit

This permit must be submitted by 12 P.M. on Wednesday prior to the work week requested.

ROWworkpermits@metrolouis.org or Fax to: (314)-335-3429
 Superintendent of Track Maintenance: (314)-982-1400 Ext. 2878 or 2851

				Permit No:	
Company:			Date:		
Requester:			Title:		
Phone:		Cell Phone:		Fax:	
This is a permit to occupy Metro's Right of Way to perform the following work:					
Will work require personnel and/or equipment to be within 20 feet from the center of the nearest track at anytime?		Yes <input type="checkbox"/> No <input type="checkbox"/>		If Yes , a Metro qualified flag person will be provided by: Metro <input type="checkbox"/> Contractor <input type="checkbox"/>	
Will the work be within 10 feet of the closest overhead catenary line?		Yes <input type="checkbox"/> No <input type="checkbox"/>		Will any excavating be performed (hand or machine)? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Is this work being completed for a Metro Contract?		Yes <input type="checkbox"/> No <input type="checkbox"/>		Approximate number of crew members:	
Description of equipment to be used:					
Dates Work Performed:		Start Date		Finish Date	
Enter time in 24 hour format:		Start Time		Finish Time	
Work Location:		From Milepost		To Milepost	
Track to be Accessed:		Westbound Track 1 <input type="checkbox"/>	Eastbound Track 2 <input type="checkbox"/>	Both Tracks <input type="checkbox"/>	Off Track <input type="checkbox"/>
<i>I understand that before entering the MetroLink Right-of-Way, and prior to the start of work, authority must be obtained from Operations Control Center (OCC) via Metro issued portable radio on the appropriate Operations channel for work location. In case of radio failure OCC may be reached by phone at 314-289-6870. I understand that workers and equipment must be able to clear the tracks at any times for all train movements. When a flag person is required, it is the Contractor's responsibility to have a MetroLink Qualified Flag person present and speed boards in place, when required, prior to the start of work.</i>					
Requesters Signature:				If E-mailed Initial:	
Office Use Only					Initials
Signals & Communication	Cable Locate required?	No <input type="checkbox"/>	Yes <input type="checkbox"/>	Dig #	
Traction Power:	Power Down required?	No <input type="checkbox"/>	Yes <input type="checkbox"/>		
Track Maintenance:	Insurance Approved?	N/A <input type="checkbox"/>	Yes <input type="checkbox"/>		
	Easement Approved?	N/A <input type="checkbox"/>	Yes <input type="checkbox"/>		
	Safety Training Completed?	N/A <input type="checkbox"/>	Yes <input type="checkbox"/>		
Operations:	Restriction?	No <input type="checkbox"/>	Yes <input type="checkbox"/>	Track 1 <input type="checkbox"/> Track 2 <input type="checkbox"/> Other <input type="checkbox"/>	
	Speed Restriction Signs?	No <input type="checkbox"/>	Yes <input type="checkbox"/>		
	Moving Crew?	No <input type="checkbox"/>	Yes <input type="checkbox"/>		
	Track Out of Service?	Track 1 <input type="checkbox"/>	Track 2 <input type="checkbox"/>	Yard Track <input type="checkbox"/>	
Facilities Maintenance:	Metro Flag person is scheduled?	Yes <input type="checkbox"/>	No <input type="checkbox"/>		
Superintendent of Track Maint:	Permit Fee <input type="checkbox"/>	Power Up/Down <input type="checkbox"/>	Flagging <input type="checkbox"/>	Tier 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/>	

Revised July 24, 2006

Added 11/09/2006

EXHIBIT B – Metro Permit Fee Schedule

Construction Access Permit Fees

A Construction Access Permit is required prior to outside parties commencing any underground, overhead, or surface work on the Metro's Light Rail System. Permit fees are based on the permit applicant's scope of work and Metro's labor and indirect costs. The fees listed are not comprehensive and Metro may apply other fees associated with the temporary access permit to Metro Right-of-Way as appropriate. Metro reserves the right to waive these fees as appropriate when in the best interest of the agency.

1. Permit Application Fee \$125.00

The Permit Application Fee is **non-refundable** and covers Metro's administrative costs associated with processing the Temporary Work Permit, which includes review of work plans, proof of insurance, and track allocation in accordance with SOP 101.17, Policy and Procedure for Work Performed on MetroLink Right-of-Way and SOP 101.23, Permit Numbers and Track Allocation. This fee is incurred on a project basis and will only be incurred once on a project regardless of duration.

2. MetroLink Safety Training

All Contractor employees that will perform work on the MetroLink Right-of-Way will be required to receive safety training from Metro. Training Sessions are regularly scheduled at a minimum of 2 times per month. Regularly scheduled training sessions are offered to contractor employees at no cost. If a contractor requires specially scheduled training classes, the following fees will apply. Fees are per class. There is a maximum of (15) fifteen students per class. Typical duration of class is also indicated below.

Tier 1 (1.5 hrs)	\$150.00
Tier 2 (2.0 hrs)	\$250.00
Tier 3 (2.0 hrs)	\$250.00

3. Power Up/Power Down Fee \$500.00

The Power Up/Power Down Fee is a daily fee, which covers the Agency's labor and non-labor costs for sectionalizing, de-energizing, and restoring the MetroLink Traction Power System to normal state. The Agency shall determine this requirement per SOP 104.01, Catenary Lockout Procedure.

4. Flagging Hourly Rate

The Flagging Service Fee is an hourly rate per flag person, which covers the Agency's labor and non-labor costs for providing flag person(s) along the MetroLink Right-of-Way.

Straight Time (Monday – Friday 7:00am – 3:30pm)	\$35.00/hr
Overtime Rate	\$50.00/hr

5. Lookout Hourly Rate

The Lookout Service Fee is an hourly rate per lookout, which covers the Agency's labor and non-labor costs for providing lookout(s) along the MetroLink Right-of-Way.

Straight Time (Monday – Friday 7:00am – 3:30pm)	\$35.00/hr
Overtime Rate	\$50.00/hr

6. Pilot Hourly Rate

The Pilot Service Fee is an hourly rate per pilot, which covers the Agency's labor and non-labor costs for providing pilots(s) to escort contractor track cars or work equipment.

Straight Time (Monday – Friday 7:00am – 3:30pm)	\$35.00/hr
Overtime Rate	\$50.00/hr

7. Bus Bridge Hourly Rate

The Bus Bridge Fee is an hourly rate, which covers the Agency's labor and non-labor costs for utilizing buses for customer transport during work on the MetroLink Right-of-Way. This fee will be determined on a case-by-case basis.

EXHIBIT D

INDEMNIFICATION AGREEMENT And REQUIRED INSURANCE COVERAGE¹

SECTION 1. - INDEMNIFICATION

In accordance with Metro's "Right-of-Entry" requirements and in exchange for the authorization to perform work on or near the MetroLink right-of-way, **contractor** agrees, to the fullest extent permitted by applicable law, to indemnify, defend and hold harmless Metro and its commissioners, officers, officials, agents, and employees from and against any and all claims, suits, actions, judgments, fines, penalties, loss, damage, costs, or expense (including but not limited to attorneys' fees), whether direct or indirect, due to bodily or personal injury, death, sickness or property damage (including loss of use thereof) arising out **Contractor's** activities.

In the event a third party makes a claim or files a lawsuit against Metro for injury or death to persons, for damage to property, or for costs associated with loss of business, caused in any way by the **contractor's** activities, the **contractor** shall defend such claims or suits, on behalf of Metro at **contractor's** sole cost and expense.

Contractor further agrees to repair any damage or disturbance to **Metro** property caused by the **contractor's** activities or caused, in whole or in part, by its subcontractors, employees or agents. Such repairs must be completed in a manner approved by and within a time frame defined by Metro.

SECTION 2. - INSURANCE REQUIREMENTS

The **contractor** shall procure and maintain for the duration of its work on, under, or over the MetroLink right-of-way, a policy or policies of insurance for the protection of both the **contractor** and Metro and its commissioners, officers, officials, agents, and employees. Metro requires certification of insurance coverage from all contractors and subcontractors prior to commencing work on, under, or over the MetroLink right-of-way. Please carefully review the requirements outlined below.

IT IS RECOMMENDED THAT THE CONTRACTOR CONFER WITH ITS INSURANCE BROKER OR AGENT PRIOR TO SUBMITTING THE "METROLINK RIGHT-OF-WAY WORK REQUEST" TO DETERMINE THE AVAILABILITY AND APPLICABLE COST, IF ANY, OF CERTIFICATES, ENDORSEMENTS, COVERAGES, AND LIMITS REQUIRED.

SECTION 3 - MINIMUM SCOPE AND EXTENT OF COVERAGE

A. COMMERCIAL GENERAL LIABILITY

Commercial General Liability, ISO coverage form number CG 00 01 ("occurrence" basis or ISO equivalent If ISO equivalent or manuscript general liability coverage forms are used, minimum coverage will be as follows: Premises/Operations; Independent Contractors; Products/Completed Operations; Personal Injury; Broad From Property Damage including Completed Operations; Broad Form Contractual Liability Coverage to include **Contractor's** obligations under INDEMNIFICATION above.

¹ These insurance specifications are applicable only to contractors or others not engaged by or under contract to Metro. For specifications applicable to Metro construction or maintenance contracts that require access to the track or ML ROW, please consult the Department of Risk Management.

B. AUTOMOBILE LIABILITY

Business Automobile Liability Insurance, ISO Coverage form number **CA 00 01** covering automobile liability, code 1 "ANY AUTO".

C. WORKERS' COMPENSATION and EMPLOYER'S LIABILITY

Statutory Workers' Compensation Insurance for all states and jurisdictions where **Contractor** has work locations, a Broad form All States Endorsement for incidental contact, standard Employer's Liability Insurance, and coverage for U.S. Longshoremen's and Harbor Workers Act and FELA, where applicable.

D. RAILROAD PROTECTIVE LIABILITY

Railroad Protective Liability Insurance covering the work to be performed under this contract by the successful contractor if such work is to be performed on or adjacent to the Metro Link right-of-way. The policy form should be ISO CG 00 35 (06/90) or other equivalent RIMA/AASFITO approved form including coverage for "Physical Damage to Property" and coverage for pollution arising out of fuels or lubricants brought to the job site (i.e., ISO Form CG 28 31). If a Lloyd's or other similar "Claims Made" policy form is used, the Extended Claims Made Date shall be a minimum of two years past the expiration date of the policy.

Alternative: In many instances, it is possible for an organization to address this exposure by an endorsement to its commercial general liability policy *if it is not in the construction business per se or if it does not customarily work in proximity of a railroad right-of-way*. The applicable endorsement is CG 24 17 – Contractual Liability – Railroads. A copy of the endorsement must be attached to the required Certificate of Insurance.

SECTION 4. - MINIMUM LIMITS OF INSURANCE

A. COMMERCIAL GENERAL LIABILITY

\$2,000,000 combined single limit per occurrence for bodily injury, personal injury, and property damage; **\$2,000,000** annual aggregate

B. AUTOMOBILE LIABILITY²

\$2,000,000 combined single limit per accident for bodily injury and property damage.

General Liability and Automobile Liability insurance may be arranged under individual policies for the full limits required or by a combination of underlying policies with the balance provided by a form following Excess or Umbrella Liability policy.

C. WORKERS' COMPENSATION/EMPLOYER'S LIABILITY

Workers' Compensation limits as required by applicable State Statutes (generally unlimited) and minimum of **\$500,000** limit per accident for Employer's Liability.

² Where applicable – This applies to work that requires the contractor or its employees to operate motor vehicles (licensed for road use) on Metro property or within 25 feet of the operating ROW.

D. RAILROAD PROTECTIVE LIABILITY

\$2,000,000 combined single limit per occurrence for bodily injury, personal injury, and property damage.

\$6,000,000 annual aggregate (*or \$2,000,000 if the aggregate applies only to claims and legal expenses which arise out of the activities under this contract*)

SECTION 5. - DEDUCTIBLES AND SELF-INSURED RETENTIONS

All deductibles, co-payment clauses, and self-insured retentions must be declared to and approved by Metro. Metro reserves the right to request the reduction or elimination of unacceptable deductibles or self-insured retentions as *they would apply to Metro, its commissioners, officers, officials, agents, and employees*. Alternatively, Metro may request the contractor to procure a bond guaranteeing payment of losses and related investigations, claims administration, and defense expenses.

SECTION 6. - OTHER INSURANCE PROVISIONS & REQUIREMENTS

The respective insurance policies and coverage as outlined below must contain, or be endorsed to contain, the following conditions or provisions:

A. COMMERCIAL GENERAL LIABILITY

Metro and its commissioners, officers, officials, agents, and employees shall be endorsed as additional **Insureds** by ISO form **CG 20 26 – ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION**. As additional insureds, they shall be covered as to work performed by or on behalf of the contractor or as to liability that arises out of contractor's activities on, over, or under the MetroLink right-of-way.

B. COMMERCIAL GENERAL LIABILITY & AUTOMOBILE LIABILITY

Contractor's insurance coverage shall be primary with respect to Metro, its commissioners, officers, officials, agents, and employees. Insurance or self-insurance programs maintained by Metro shall be excess of the **contractor's** insurance and shall not contribute with it.

Contractor's failure to comply with the terms and conditions of these insurance policies shall not affect or abridge coverage for Metro or for any of its commissioners, officers, officials, agents, or employees.

C. WORKERS' COMPENSATION and EMPLOYER'S LIABILITY

The **contractor** and **contractor's** workers' compensation insurer shall agree to waive all rights of subrogation against Metro, its commissioners, officers, officials, agents, or employees for claims, losses, or expenses which arise out of **contractor's** activities on, over, or under the MetroLink right-of-way.

D. RAILROAD PROTECTIVE LIABILITY

Metro, its commissioners, officers, officials, agents, and employees are to be covered as named insureds or as additional named insureds with respect to work performed by or on behalf of the **contractor** or as to liability which arises out of **contractor's** activities on, over, or under the MetroLink right-of-way.

Contractor's failure to comply with the terms and conditions of these insurance policies shall not affect or abridge coverage for Metro, its commissioners, officers, officials, agents, or employees.

E. ALL COVERAGES

Each insurance policy required by the MetroLink right-of-way license shall contain a stipulation, endorsed if necessary, that Metro's Director of Risk Management will receive a 30-day advance notice of any policy cancellation other than cancellation for non-payment of premium. Ten (10) days advance notice is required for policy cancellation due to non-payment of premium.

SECTION 7. - INSURER QUALIFICATIONS/ACCEPTABILITY

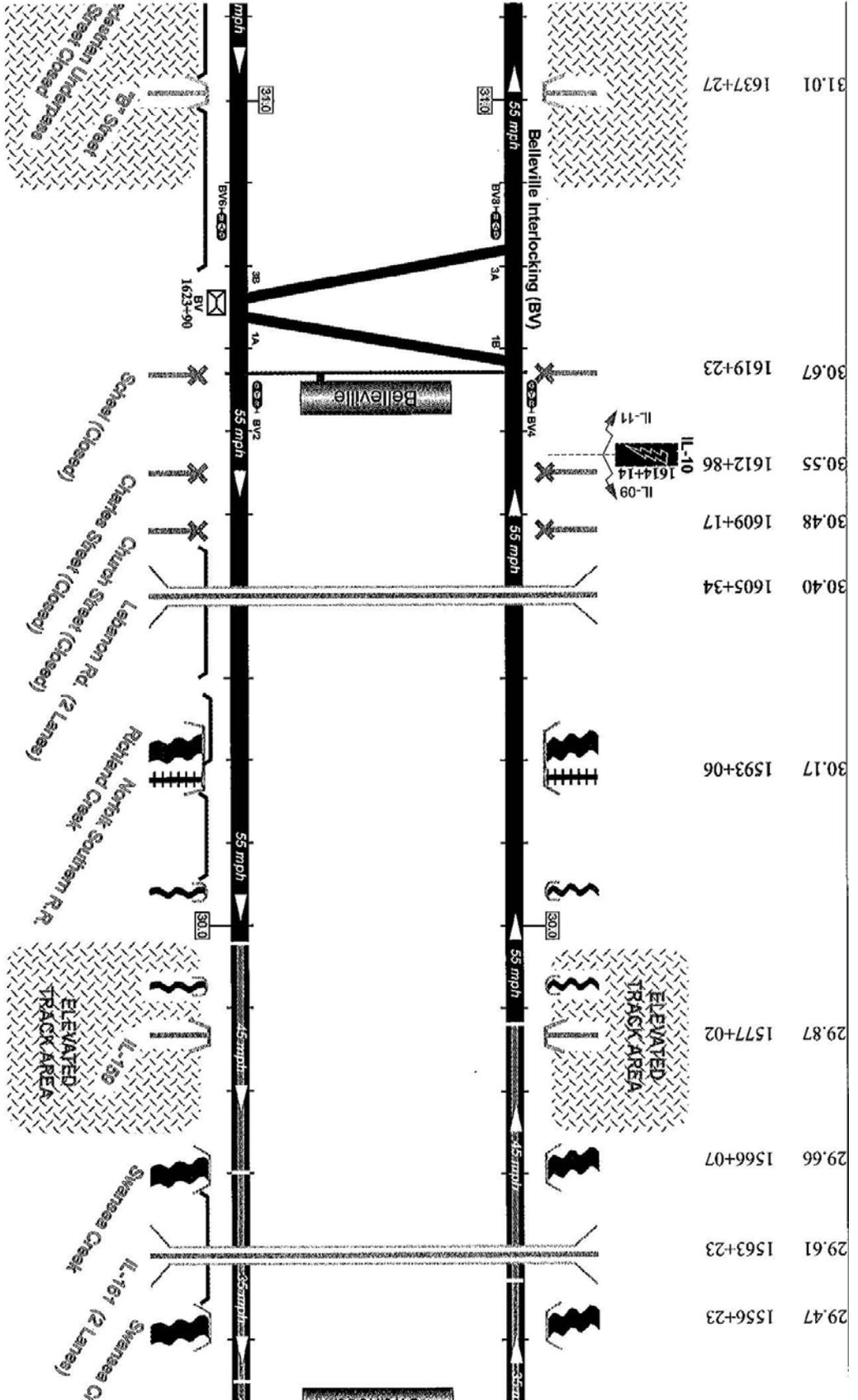
Insurance required hereunder shall be issued by an A.M. Best "A" rated, Class VII insurance company approved to conduct insurance business in the state(s) of Missouri and/or Illinois.

SECTION 8. - VERIFICATION OF INSURANCE COVERAGE

Prior to commencing work on, over, or under the MetroLink right-of-way, the **contractor** shall furnish Metro with CERTIFICATE(S) OF INSURANCE and with any applicable original endorsements evidencing the required insurance coverage. The insurance certificates and endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf.

All certificates and endorsements received by Metro are subject to review and approval by Metro's Director of Risk Management. Metro reserves the rights to require complete, certified copies of all required policies at any time.

If the work on, over or under the MetroLink right-of-way will exceed one (1) year -- or, if any of **contractor's** applicable insurance coverage expire prior to completion of the work -- the **contractor** will provide a renewal or replacement certificate before continuing work on, over, or under the MetroLink right-of-way.



Added 11/09/2006