

APPLICATION TO USE MDOT CONTROLLED FREIGHT RAILROAD PROPERTY

(EXCLUDES DEARBORN-KALAMAZOO ACCELERATED RAIL CORRIDOR)

- Use this form to request the use of a state-owned rail corridor, including utility crossings (aerial or subsurface) and vehicular crossings. E-mail the entire application packet, including plans, ACORD form and other attachments to ClevelandJ1@Michigan.gov. If a processing fee is required and/or attachments are too large to send electronically, please supplement the on-line submission by mailing a check and/or two copies of any large attachment to Michigan Department of Transportation, Office of Rail, P.O. Box 30050, Lansing, MI 48909.
- Please be as specific as possible regarding the location of the proposed use. The location description should include the City, Township, County, Town-Range-Section Numbers, and a fixed-point of reference to identify the exact location of the request. A fixed point may include distance from a bridge, milepost, culvert or survey. Town-range-section information can be found on the following map: <http://www.mcgi.state.mi.us/prfinder/>.
- Please be as specific as possible when describing the details of the proposed use. For example, proposed use could include "jack and bore a gas service line under the railroad tracks" or "install 75KV electrical line over the tracks". Attaching engineering plans are typically necessary to provide sufficient details regarding proposed facilities. All construction must comply with the applicable Supplemental Standard Specifications for construction activities (attached). Additional guidance is available on MDOT's website when applying for private crossings and trail-use.
- During permitted right-of-entry or construction activities, the applicant or its contractors shall procure and maintain insurance as listed below. For some types of facilities, insurance will be required for the life of the facility. Current limits are listed in the below tables, but are subject to change at MDOT's discretion. Self-insurance may be an acceptable alternative to the insurance policies listed below. A sample ACORD form is attached.
- Approved access will be governed by permits and, as applicable license or sales agreements. No easements will be issued on MDOT's railroad property. However, in some cases, MDOT can include language in a permit that provides for the conversion to an easement in the event MDOT's ownership interest should change. This option is only available for crossings that do not constrain the rail right-of-way and at locations that MDOT is the underlying property owner (in fee).
- In some locations, MDOT only holds an easement for its rail corridor and not the underlying property. MDOT will attempt to notify applicants when it is aware of such locations. However, applicants are responsible for determining underlying property ownership and seeking that additional approval, as required.
- Please enclose a check or money order (made payable to the "State of Michigan") for the \$400.00 processing fee. The processing fee is waived for governmental agencies. **NOTE: Additional costs will be associated with property sales, as well as license agreements for private and commercial facilities constructed longitudinally and/or above-ground on the property. In these cases, the applicant will be required to utilize State-approved appraisers to determine fair-market value if the use is approved.**
- To request the use of the Dearborn-Kalamazoo Accelerated Rail Corridor, refer to MDOT Form 1444.
- Contact the Office of Rail at (517) 242-3886 or ClevelandJ1@Michigan.gov with questions.

INSURANCE REQUIREMENTS FOR CONSTRUCTION & RIGHT-OF-ENTRY ACTIVITIES	
Commercial General Liability Insurance	
<u>Minimal Limits:</u> \$1,000,000 Each Occurrence Limit \$1,000,000 Personal & Advertising Injury Limit \$2,000,000 General Aggregate Limit \$2,000,000 Products/Completed Operations	Endorsed to add additional insureds listed below with waivers of subrogation in their favor. Coverage must not have exclusions or limitations related to working within 50-feet of a railroad track (CG 24 17 1001 endorsement).
Statutory Worker's Compensation and Employers Liability Insurance	
<u>Minimal Limits:</u> \$1,000,000	Endorsed to add additional insureds listed below with waivers of subrogation in their favor.
Railroad Protective Liability Insurance	
<u>Minimal Limits:</u> \$2,000,000 Per Occurrence \$6,000,000 General Aggregate	
Automobile Liability Insurance	
<u>Minimal Limits:</u> \$500,000 Per Occurrence	

* Endorsements: The [name of operating railroad], including employees and affiliates, the Michigan Department of Transportation, Michigan State Transportation Commission, and the State of Michigan, its departments, divisions, agencies, offices, commissions, officers, employees, and agents, are named additional insured waiver of subrogation in their favor for commercial general liability, worker's compensation and employer's liability insurance. Coverage does not have exclusions or limitations related to work within 50-feet of a railroad track (CG 24 17 1001 endorsement). Umbrella liability insurance follows form.

FACILITIES WITH ON-GOING INSURANCE REQUIREMENTS	
RESIDENTIAL DRIVEWAYS	
Homeowners Liability Insurance	
<p><u>Minimal Limits:</u> \$500,000 Combined Single Each Occurrence \$1,000,000 Personal Liability Limit Annual</p>	<p>Endorsed to add additional insureds listed below.</p> <p>Coverage must not have exclusions or limitations related to railroad protective liability. If excluded from the policy, Railroad Protective Liability Insurance will be required at the same minimum limits.</p>
Automobile Liability Insurance	
<p><u>Minimal Limits:</u> \$500,000 Combined Single Limit Per Occurrence</p>	<p>Endorsed to add additional insureds listed below.</p> <p>Endorsed to include Hired and Non-Owned Automobile coverage.</p>
COMMERCIAL DRIVEWAYS	
Commercial General Liability Insurance	
<p><u>Minimal Limits:</u> \$1,000,000 Each Occurrence Limit \$1,000,000 Personal & Advertising Injury Limit \$2,000,000 General Aggregate Limit \$2,000,000 Products/Completed Operations</p> <p><u>Deductible Maximum:</u> \$50,000 Each Occurrence</p>	<p>Endorsed to add additional insureds listed below with waivers of subrogation in their favor.</p> <p>Coverage must not have exclusions or limitations related to working within 50-feet of a railroad track (CG 24 17 1001 endorsement). If excluded from the policy, Railroad Protective Liability Insurance will be required at the same minimum limits.</p>
Automobile Liability Insurance	
<p><u>Minimal Limits:</u> \$500,000 Each Occurrence</p>	<p>Endorsed to add additional insureds listed below.</p> <p>Endorsed to include Hired and Non-Owned Automobile coverage.</p>
PIPELINES	
Commercial General Liability Insurance	
<p><u>Minimal Limits:</u> \$1,000,000 Each Occurrence Limit \$1,000,000 Personal & Advertising Injury Limit \$2,000,000 General Aggregate Limit \$2,000,000 Products/Completed Operations</p> <p><u>Deductible Maximum:</u> \$50,000 Each Occurrence</p>	<p>Endorsed to add additional insureds listed below with waivers of subrogation in their favor.</p> <p>Coverage must not have exclusions or limitations related to working within 50-feet of a railroad track (CG 24 17 1001 endorsement).</p>
Environmental and Pollution Liability (Errors and Omissions) (Requirement for certain types of pipelines)	
<p><u>Minimal limits:</u> \$1,000,000 Each Occurrence \$2,000,000 Annual Aggregate</p>	<p>Endorsed to add additional insureds listed below.</p> <p>Coverage must be applicable to work being performed, including completed operations equal to or exceeding statute of repose</p> <p>Coverage must not have exclusions or limitations related to Transportation (upset overturn, spills during loading or unloading), Hazardous Materials Handling, and Non -Owned disposal site liability.</p>

* Endorsements: The [name of operating railroad], including employees and affiliates, the Michigan Department of Transportation, Michigan State Transportation Commission, and the State of Michigan, its departments, divisions, agencies, offices, commissions, officers, employees, and agents, are named additional insured with waiver of subrogation in their favor for commercial general liability, worker's compensation and employer's liability insurance. Coverage does not have exclusions or limitations related to work within 50-feet of a railroad track (CG 24 17 1001 endorsement). Umbrella liability insurance follows form.

MDOT 0772 (07/20)

APPLICATION TO USE MDOT CONTROLLED FREIGHT RAILROAD PROPERTY

(EXCLUDES DEARBORN-KALAMAZOO ACCELERATED RAIL CORRIDOR)

FOR MDOT USE ONLY	
CONTROL SECTION NO.	
DATE RECEIVED	
FEE	INS
OWNERSHIP	

Use this form to request the use of a state-owned rail corridor, including utility crossings (aerial or subsurface) and vehicular crossings. E-mail the entire application packet, including plans, ACORD form and other attachments to ClevelandJ1@Michigan.gov. If a processing fee is required and/or attachments are too large to send electronically, please supplement the on-line submission by mailing a check and/or two copies of any large attachment to Michigan Department of Transportation, Office of Rail, P.O. Box 30050, Lansing, MI 48909.

1. NAME AND MAILING ADDRESS OF APPLICANT / FACILITY OWNER	PHONE
	FAX
	E-MAIL ADDRESS
2. NAME AND MAILING ADDRESS OF AUTHORIZED AGENT (If other than applicant)	PHONE
	FAX
	E-MAIL ADDRESS
3. NAME AND MAILING ADDRESS OF CONSTRUCTION CONTRACTOR (If available)	PHONE
	FAX
	E-MAIL ADDRESS
4. LOCATION OF PROPOSED USE (Provide city, township, county, town-section-range numbers and fixed-point of reference. See instructions for more direction.)	

5. PROPOSED USE (Include a description of the type of facility and construction activity, as applicable. Attach plans and additional sheets if necessary. As appropriate, refer to MDOT's guidance on longitudinal-use and private crossings and address accordingly.)	ACTIVITY START DATE
	ACTIVITY END DATE

The signature below certifies the application and any subsequent information that is supplied to MDOT related to this application accurately reflects the proposed use and will comply with MDOT requirements specified as a condition of use in the permit.

SIGNATURE OF APPLICANT OR AUTHORIZED AGENT	DATE
ENGINEERING APPROVAL	DATE

If approved, this application and attached plans will be part of a permit issued by MDOT, which is valid only if it is on file with MDOT and the proposed use begins within one year of its issuance.

APPLICATION TO USE MDOT CONTROLLED FREIGHT RAILROAD PROPERTY SUPPLEMENTAL SPECIFICATIONS

General Conditions

Excavation is not allowed within: 20 feet from either rail; the front slopes; or the load influence zone as described by a 1-on-1 slope descending from the ends of the ties, except where specifically authorized in writing by the Department.

Construction equipment and excavated material shall not be stored within 20 feet of the track and in such locations that inhibit drainage, create a hazard or interfere with rail operations, or clear vision for motorists at road intersections. Under no circumstances shall any heavy equipment, especially machinery with caterpillar treads or cleated tracks, be allowed upon the railroad track or front slopes, without approved special provisions for protecting the track structure and front slopes.

Construction Methods

Bore/Jack Installation

1. Where the method of installation consists of pushing the casing pipe into the sub grade section with a boring auger rotating within the pipe to remove the spoil, the auger shall not be advanced more than one-half the diameter of the casing pipe, where the auger and casing advancement is coordinated. Where the auger is advanced separately, the auger shall not precede the casing pipe.

2. A bore/jack installation shall have a push hole essentially the same as the outside diameter of the pipe plus protective coating. If voids should develop creating a hole diameter greater than 1 in. plus the pipe diameter, grout shall be used to fill such voids. The auger shall be removable from within the pipe in the event an obstruction is encountered. When an obstruction is encountered that stops the forward advancement of the pipe, operations shall cease and the pipe shall be abandoned in place, cut flush with the front slope, and filled completely with grout before any further bore attempts are made.

3. Where field welding is required, the steel pipe ends shall be prepared and a minimum of three complete circumference passes or three overlapping beads of weld shall be applied at seams or joints. During field welding, water shall not be present inside the pipe and must be a sufficient distance below the pipe to allow a quality weld.

Other Installation Methods

1. The use of jetted water is strictly prohibited for excavating under the track

2. Directional boring/drilling, which utilizes bits with jets, may be used in certain conditions only when specifically authorized in writing. Wet directional boring will be reviewed for approval for longitudinal installations and transversely at grade separation locations only. For transverse installations directly under railroad roadbed, only dry directional boring will be allowed.

3. Sheeting, shoring, and/or dewatering shall be used to prevent caving, slides, or undermining of the foundation material supporting the track structure, ballast section, or any other railroad structures (culverts, signals, switch stands, etc). When water is present or anticipated, ow shall be maintained at the site. When dewatering, the railroad embankment, tracks, and facilities shall be closely monitored for settlement or displacement.

4. The installation of a sub-surface crossings by cutting or removing rail and trenching is prohibited unless specifically approved. Approval of open trench installation will require additional special provisions not contained herein.

Backfilling

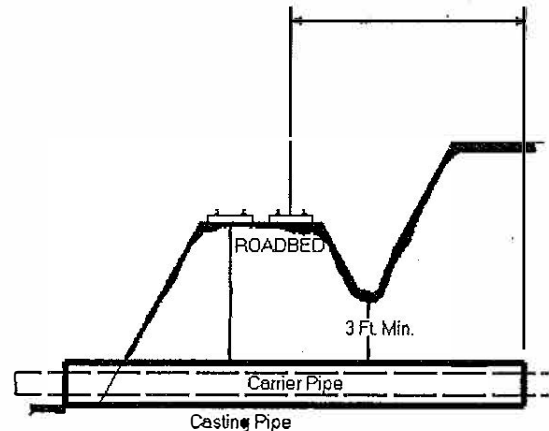
1. All trenches, holes, and pits shall be backfilled with an approved material, placed in successive layers not more than 9 in. in depth, and thoroughly compacted to within 95 percent of maximum unit weight. Maximum unit weight and compaction shall be determined by: the MDOT One-Point-T-99 (Proctor) Test for materials having more than 15 percent loss-by-washing; the One-Point Michigan Cone Test for materials having less than or equal to 15 percent loss-by-washing; MDOT approved nuclear gage methods; or approved method.

2. Backfill material shall consist of approved bank-run sand and gravel or Class II granular material per MDOT Standard Specifications for Construction, pass through a screen having 2-3/8 in. square openings, and contain no cementitious properties unsuitable for water percolation nor deleterious or organic materials.

Restoration

1. All surplus or unsuitable material shall be properly disposed outside of the limits of the railroad right-of-way, unless the approved application provides for designated disposal locations on railroad property. Any permitted disposed material shall be leveled and trimmed in an approved manner.

2. Sod and topsoil shall be stored separately from other excavated material and shall be used for turf establishment. Turf restoration shall begin within one week of completing the installation. Restore the grade by placing sod or seed, fertilizing and mulch. Mulch which has become displaced prior to complete seed germination shall be restored.



APPLICATION TO USE MDOT CONTROLLED FREIGHT RAILROAD PROPERTY DESIGN CRITERIA

Subsurface Crossings

CASING PIPE

A casing pipe is required for most underground utilities. Only culverts and non-electrical cables don't require encasement. A steel casing pipe is required for all flammable substances. Casing pipes made of material other than steel or leak proof C-76 Class V reinforced concrete must provide a minimum cover of 6-1/2 ft. from base of rail to top of pipe.

MATERIALS

Steel Pipe - Either: ASTM A53-Type E or S, Grade B; or ASTM A139 - Grade B, and have a minimum yield strength of 35,000 psi.

Casing pipe and non-encased carrier pipe shall have the following wall thickness. Numerical values are in inches.

WALL THICKNESS	PIPE WALL DIAMETER
.188 = 3/16	12-3/4 and under
.250 = 1/4	14
.282 = 9/32	14, 16
.313 = 5/16	18
.344 = 11.32	20
.375 = 3/8	22
.407 = 13/32	24
.438 = 7/16	26
.469 = 15/32	28, 30
.500 = 1/2	32
.532 = 17/32	34, 36
.563 = 9/16	38, 40, 42

Grout - A mixture of Portland cement and sand in any proportion which does not have more than 50 percent sand by volume.

CULVERTS, GRAVITY SEWERS

Pipes shall have a minimum of two (2) feet of cover from the base of rail to the top of pipe. The pipe shall be of leak proof construction and shall be a minimum 10 gauge steel and capable of supporting E-80 loading capacity, with no joints under the roadbed from drainage ditch to drainage ditch.

DEPTH OF PIPE

Casing or carrier pipes shall be placed at a depth that will provide not less than 5' 0". of cover from bottom of tie to top of pipe and provide a minimum of 3 ft. of cover below proposed ditch bottoms.

LENGTH OF CASING

Length of pipe shall be the greatest distance as measured at right angles to the track: 3 ft. beyond toe of slope; 3 ft. beyond the ditch; or a minimum distance of 25 ft. from the near rail, when the end of casing is below ground.

BORE PITS

A minimum of 20 feet (perpendicular measurement) shall be maintained from the near rail to any bore pit, unless specifically authorized in writing by the Department. Bore pit dimensions, depth, distance to each near rail, and to the toe of slope for each front slope must be shown on the plans.

Aerial Crossing

VERTICAL CLEARANCES

The minimum vertical clearance, including sag, from top of rail to utility line directly over the track(s) shall be:

26 ft	Communications
27 ft	0 – 750 Volts
28 ft	750V – 15 KV
30 ft	15 KV – 50 KV
32 ft	50 KV – 100 KV
33 ft	100 KV – 150 KV
35 ft	150 KV – 200 KV
37 ft	200KV – 250 KV

HORIZONTAL CLEARANCES

Poles or guy wires are only allowed in the Right-of-Way in limited instances. Approval will be on a case-by-case basis.

Required Information for All Crossings

A cross-sectional view of the proposed crossing shall be included with the application, and shall include the following topographical information, as applicable:

Adjacent utilities, obstructions or adjacent structures; actual cross-section elevations at the proposed crossing location measured at 0.1 ft increments relative to the top of rail and elevations at 5 ft intervals 50 ft. each side of centerline; ditch and rail profiles at 25 ft. intervals for 300 ft. each direction from crossing (or as necessary to describe drainage); dimensions of bore pits; the closest distance of bore pits to each near rail; and the location relative to a railroad milepost and/or nearby road crossings.

Longitudinal Occupancy

Depth of cover and offset from the track will be considered on an individual basis. Casing requirements can be waived where there is sufficient depth of cover and lateral offset from the track structure.

Utility Structures

Above or below ground structures are only allowed in the Right-of-Way in limited instances. Approval is on a case-by-case basis.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

06/01/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Producer ABC 123 Sesame Street Smalltown, USA 12345		CONTACT NAME: PHONE (A/C. No. Ext): _____ FAX (A/C. No): _____ E-MAIL ADDRESS: _____	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A : Insurer #1	NAIC # 11223
		INSURER B : Insurer #2	44556
		INSURER C : Insurer #3	99887
		INSURER D :	
		INSURER E :	
		INSURER F :	

INSURED
 Contractor XYZ
 987 Main St., Suite 100
 Anywhere, USA 98765

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY			CGL456123	12/01/2015	12/01/2016	EACH OCCURRENCE \$ 2,000,000	
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY	Y	Y				DAMAGE TO RENTED PREMISES (Ea occurrence) \$	
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person) \$	
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						PERSONAL & ADV INJURY \$	
	GENERAL AGGREGATE \$ 2,000,000							
A	AUTOMOBILE LIABILITY			AUT963741	12/01/2015	12/01/2016	COMBINED SINGLE LIMIT (Ea accident) \$ 500,000	
	<input checked="" type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$	
	<input type="checkbox"/> ALL OWNED AUTOS						SCHEDULED AUTOS	BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS						NON-OWNED AUTOS	PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB						EACH OCCURRENCE \$	
	EXCESS LIAB						AGGREGATE \$	
	DED	RETENTION \$					\$	
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			WCL145236	06/01/2015	06/01/2016	<input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y / N	N / A				Y	E.L. EACH ACCIDENT \$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below							E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
								E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C	Railroad Protective Liability			PEO369147	10/01/2015	10/01/2016	\$2,000,000 occurrence \$6,000,000 aggregate	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

RE: Contract 591B1234567; the Michigan Department of Transportation, Michigan State Transportation Commission, the State of Michigan, and [the name of the operating Railroad] and their affiliates are included as Additional Insured in accordance with the policy provisions of the General Liability policy. A Waiver of Subrogation is granted in favor of the Michigan Department of Transportation, Michigan State Transportation Commission, the State of Michigan, and [the name of the operating Railroad] and their affiliates in accordance with the policy provisions of the General Liability policy. A Waiver of Subrogation is granted in favor of the Michigan Department of Transportation, Michigan State Transportation Commission, the State of Michigan, and [the name of the operating Railroad] and their affiliates in accordance with the policy provisions of the Workers Compensation policy.

CERTIFICATE HOLDER**CANCELLATION**

State of Michigan Attn: Department of Transportation 425 W Ottawa St. Lansing, MI 48933	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE Jane A. Doe <i>Jane Doe</i>

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