Genesee & Wyoming Railroad Services, Inc.

Real Estate Department, 13901 Sutton Park Dr., S, Suite 160, Jacksonville, FL 32224

APPLICATION FOR OVERHEAD WIRELINE CROSSING OR PARALLELISM OF RAILROAD PROPERTY AND OR TRACK

Incomplete or Inaccurate Information will delay application request

Section 1 - Applicant Data

Complete Legal Name of Applicant to appear on License Agreement (Facility Owner): _____

Applicant Mailing Address: _____

_____

Applicant Overnight Address: _____

_____

Accounts Payable Address: _____

_____

Applicant Contact Name & Title: _____

Telephone Number: _____ Email Address: _____

Emergency Contact (in case of derailment or fallen/wire pole etc.): _____ Emergency Telephone Number: _____

Type of Entity:

- ☐ Corporation
- ☑ Partnership
- ☐ Sole Proprietor
- ☐ Individual
- ☐ Municipality
- ☐ Developer
- ☐ Other*

*If other please explain: _____ State of Incorporation or Partnership: _____

Contact during Application Process:

Name: _____

Telephone Number: _____ Email Address: _____

Section 2 - Location Data

Railroad Name: _____ Estimated Start Date _____

Nearest City: _____ County: _____ State: _____

REQUIRED: Latitude/Longitude (Convert to Decimal Format) (ex 12.3456789/-64.101112): _____

Address of proposed worksite (city, state and zip code): _____

Railroad Subdivision - if known _____ **US DOT/AAR Crossing Number - if available** _____

Section 3 - Wire Line Data

Crossing or Parallelism? ☐ Crossing If Crossing complete sections 3 and 4 ☐ Parallelism If Parallelism complete sections 3 and 5

Method of Installation (Required):

☐ New ☐ Maintenance *** ☐ Upgrade *** ☐ Replacement**** ☐ Other **

☐ Jack & Bore ☐ Horizontal Directional Drill * ☐ Open Cut (typically not allowed)

(Bore plan and frac out plan required with submittal for Horizontal Directional Drill method of installation)

***** Explain other** _____

***** If maintenance or upgrade on an existing crossing please provide agreement number (required with submittal)** _____

***** If replacement of existing pipeline provide agreement number for existing crossing. (If abandoning existing pipeline in place include procedure for proposed abandonment on plans for new pipeline installation - Required)** _____

Type of Service: (Choose one)

☐ Electrical ☐ Telephone ☐ Coaxial Cable ☐ Fiber Optic ☐ Other

☐ Transmission ☐ Distribution ☐ Service ☐ Other

Angle of Wire Line Crossing the Track: _____ Degrees _____

Size and Type of Wire or Cable: _____ If Power Total Number of Circuits: _____

Number of Conductors: _____ Amount of Voltage _____

Will facility be exclusively used by Applicant? ☐ Yes ☐ No

If no, list all entities who will be using this facility: _____

Section 4 - Crossing Data

Number of Tracks Crossed: _____

Angle of Wire Line Crossing the Track: _____

Total Aerial Length within Railroad Right of Way: _____

Degrees _____

Total Number of Poles to be Installed within Railroad Right of Way: _____

Type of Wire Supports: _____

Height of Wire Above Top of Rail: _____

Section 5 - Parallelism Data

REQUIRED: Begin Parallelism Latitude/Longitude (Convert to Decimal) : _____

Beginning Milepost if Available: _____

REQUIRED: End Parallelism Latitude/Longitude (Convert to Decimal) : _____

Ending Milepost if Available: _____

Total Linear Feet longitudinal occupancy will occupy on Railroad property: _____

Section 6 - Department of Transportation (D.O.T.)

Is this installation associated with a Department of Transportation project? ☐ Yes ☐ No

If Yes, complete the following:

D.O.T. Contract Number: _____ **D.O.T. Project Number:** _____ **D.O.T. Project Name:** _____

D.O.T. Contact Information:

Name: _____

Address: _____

City: _____ **State:** _____ **Zip Code:** _____

Phone Number _____ **Email Address:** _____

Some important items to note when completing the application:

Checklist prior to submittal

- ☐ If method of installation is HDD - frac out and bore plans included
- ☐ Latitude & longitudinal information converted to digital decimal format
- ☐ If installing fiber - indicate on the plans it has a metallic ribbon or wire (armored sheath acceptable) for locating purposes
- ☐ The plans show utility warning signs will be installed above the pipe at each edge of right of way
- ☐ Payment for fees included - check payable to specific railroad
- ☐ If paying fees by credit card a completed signed credit card release is included - only Visa, MasterCard or Discover can be accepted - US Roads only
- ☐ Applications can be emailed with a copy of the check in order to start the approval process. Only the check for the doc prep fees needs to be mailed or overnighted when the complete application packet is emailed. Include a copy of the application to make sure the payment is matched to the correct project.
- ☐ ***When returning the signed agreements and proof of insurance for final review and exeuction please allow 2-3 weeks prior to the start of work. Once all required fees are paid and documentation in place the agreement must go through an approval process before it can be finalized.***

Section 7 - Insurance Requirements - US Roads

Insurance Requirements prior to any construction project - Both the Utility Owner and the Contractor completing installation are required to provide proof of current Commercial General Liability Insurance. Prior to construction the Contractor is required to provide current proof of Railroad Protective Liability Insurance.

Certificate of Commercial General Liability Insurance which names the ***specific Railroad*** **its Parent Company and Affiliates** as additional insured and must meet the limits of $2M per occurrence and $6M aggregate. ******Please note below outlining amended/additional insurance requirements for pipelines carrying potentially hazardous materials such as gas, oil, etc.***

If using **Excess Liability or Umbrella Liability coverage** to meet the minimum requirements, it must also name the ***specific Railroad*** **its Parent Company and Affiliates as additional insured**.

Commercial Automobile Insurance naming the *specific Railroad* its Parent Company and Affiliates as additional insured with a limit of no less than $1M bodily injury and property damage per occurrence

The General Liability certificate is also required to **show proof of CG2417 or its equivalent** – **Contractual Liability Railroads** (removes any exclusion for work within 50' of the CGL Policy). If the CGL policy does not have this exclusion please note this information on the certificate of insurance under the description of operations section.

Where applicable & permitted by law evidence of **Workers Compensation and Liability insurance** carried by the Utility Owner/Contractor in limits no less than $1 M. This coverage must include a waiver of subrogation in favor of ***the specific Railroad*** **its Parent Company and Affiliates.**

Where applicable & permitted by law **a waiver of subrogation** must be shown in favor of the ***specific Railroad*** **its Parent Company and Affiliates** for the *Commercial General Liability, Automobile Liability, Umbrella Liability and Workers Compensation.*

Prior to Construction or any access within 50' of Railroad a current **Certificate of Railroad Protective Liability insurance (RPL)** which shows the ***specific Railroad*** its Parent Company and Affiliates as named Insured. If the Contractor does not carry a policy of Railroad Protective Liability insurance, this coverage can be secured through the railroad. An application and current Fee structure for this coverage is available upon request.

*****Insurance Requirements for the installation of potentially hazardous pipelines such as natural gas, oil, petroleum, etc. to be amended as shown below**

Certificate of Commercial General Liability Insurance which names ***the specific Railroad*** **its Parent Company and Affiliates** as additional insured and must meet the limits of $**5M per occurrence and $10M aggregate**. Please note below outlining additional insurance requirements for pipelines carrying potentially hazardous materials such as gas, oil, etc.

Pollution Legal Liability Insurance with minimum limits of **Five Million Dollars ($5,000,000)** per occurrence naming the ***specific Railroad*** **its Parent Company and Affiliates** as additional insured. Such policy shall be endorsed to provide Waiver of Subrogation in favor of the ***specific Railroad*** **its Parent Company and Affiliates .**

Please note: *The insurance must reference the location of the project.* DO NOT show Genesee & Wyoming Railroad Services, Inc. OR Genesee & Wyoming, Inc. as additional insured or as named insured on either set of insurance documents. Documentation received with this info will hold up the processing of your request for execution on behalf of the Railroad until corrected certificates have been received meeting the minimum requirements.******

Section 8 - Insurance requirements - Canadian Roads

Insurance Requirements prior to any construction project - Both the Utility Owner and the Contractor completing installation are required to provide proof of current Commercial General Liability Insurance.

Certificate of Commercial General Liability Insurance which names the ***specific Railroad*** **its Parent Company and Affiliates** as additional insured and must meet the limits of $5M per occurrence and in the aggregate.

Where applicable and available the General Liability certificate is also required to **show proof of CG2417 or its equivalent** – **Contractual Liability Railroads** (removes any exclusion for work within 50' of the CGL Policy). If the CGL policy does not have this exclusion please note this information on the certificate of insurance under the description of operations section.

Commercial Automobile Insurance naming the ***specific Railroad*** **its Parent Company and Affiliates** as additional insured with a limit of no less than $1M bodily injury and property damage per occurrence

The **General Liability certificate** is also required to **show proof of CG2417 or its equivalent** – **Contractual Liability Railroads** (removes any exclusion for work within 50' of the CGL Policy). If the CGL policy does not have this exclusion please note this information on the certificate of insurance under the description of operations section.

Where applicable and permitted law evidence of **Workers Compensation and Liability insurance** carried by the Utility Owner/Contractor in limits no less than $1M. This coverage must include a waiver of subrogation in favor of ***the specific Railroad*** **its Parent Company and Affiliates.**

Where applicable and permitted law a **Waiver of subrogation** must be shown in favor of the ***specific Railroad*** **its Parent Company and Affiliates** for the *Commercial General Liability, Automobile Liability, Umbrella Liability and Workers Compensation.*

Please note: *The insurance must reference the location of the project.* DO NOT show Genesee & Wyoming Railroad Services, Inc. OR Genesee & Wyoming, Inc. as additional insured or as named insured on either set of insurance documents. Documentation received with this info will hold up the processing of your request for execution on behalf of the Railroad until corrected certificates have been received meeting the minimum requirements.****

IMPORTANT

Prior to application submittal, it is recommended that any questions concerning this application should be submitted to the Real Estate Department of Genesee & Wyoming Railroad Services, Inc. All questions or requests for information submitted by email receive a rapid response - email: Donna Killingsworth at gwappseast@gwrr.com or call 904.900.6286 OR Crystal Galbreath at gwappswest@gwrr.com or call 904.596.7782. Questions can be answered and additional contact information obtained by visiting the website at www.gwrr.com - select the specific railroad and click on the link for Real Estate.

Plans for proposed installations shall be submitted to and approved by the Railroad, on behalf of itself, its subsidiaries, and affiliates, and designated engineer before work can begin! Applications submitted not meeting current specifications as outlined in the General Specifications for Sub-grade and Above grade Utility Crossings of Railway's Right-of-Way will be returned and may incur additional engineering review fees. For your convenience a copy of these specifications can be found on the website at www.gwrr.com.

Materials and installations are to be in strict accordance with specifications of National Electrical Safety Code, AREMA, current edition, and requirements of the Railroad.

Upon application approval, applicant agrees to reimburse Railroad for any cost incurred by Railroad incident to the installation, maintenance and/or supervision necessitated by the installation. Applicant further agrees to assume all liability for accidents or injuries that arise as a result of this installation.

This section must be completed in full, signed and dated prior to submittal to the Real Estate Department for processing. Unsigned applications, incomplete or inaccurate Information will delay application request and may incur additional fees.

Date: _____ **Signature:** _____

Phone Number: _____ **Printed Name:** _____

Fax Number: _____ **Title:** _____

Please make check payable to the specific Railroad where proposed work is to occur. A list of Genesee & Wyoming, Inc. subsidiary railroads can be found at: www.gwrr.com . W-9 information available upon request.

Mail the application for proposed project, along with the applicable non-refundable fee(s) in U.S. Funds (Canadian Applicants please pay all fee in Canadian Funds plus HST) to:

Genesee & Wyoming Railroad Services, Inc.
Attn: Real Estate Department
13901 Sutton Park Dr. S., Suite 160
Jacksonville, FL 32224

In order for the application to be complete ALL required details pertinent to the proposed installation must be completed in full and submitted along with the following fees:

	# of Copies	Amount Due	Description
☐	1	$1,000	Completed Wire line Application
☐	1	$1,750	Engineer review fee, plans/drawings, no larger than 11 x 17. Larger drawings may incur additional engineering fees.
☐	1	$1,750	Completed Contractor's Access/Occupancy Application and Fee required with ALL application submittals. If the contractor is unknown at time of submittal just check the box under the heading on the form.
		$4,500	**Full amount due with submittal for new utility installations**

Standard Application processing takes approximately 6-8 weeks. "Expedited processing" is available and will reduce the processing time to between 1-2 weeks at an additional cost of $2,500. For *all expedited requests* the application and plans submitted must meet engineering specifications and be approved in order for the applicable agreement(s) to be forwarded to the applicant for signature within 2 weeks *from receipt of all required information*. It is important to note that an incomplete application and plans submitted that do not meeting engineering specifications will cause a delay in the processing of expedited request and the two week guarantee no longer applies if revisions tobe made by the applicant are required to be made to the plans in order for them to meet engineering specs.

The expedited processing of an application does not apply to the final review and execution phase of the agreement process. Once a signed agreement has been received and ALL required fees and insurance has been submitted the agreement(s) is(are) forwarded for final review by a Director, Legal and the signatory for the Railroad. This final review and execution process can take up to 2 weeks from receipt of all required documentation and fees. This part of the agreement process cannot be expedited.

At this time we are unable to expedite requests for the installation of new private grade crossings, industrial track agreements, and track leases. The process for these requests varies somewhat from the review and approval process for new utilities and takes a little longer to secure all required approvals.

Entering or working on the railroad right of way or any other railroad property without the permission of the railroad is trespassing and illegal. Violators risk the possibility of serious, even fatal injury and will be prosecuted.