



**Third Party  
Railroad Flagging Services Agreement**

*To be completed by the party responsible for payment of services*

*Check box for Railroad*

- Alabama Tennessee River Railroad     Cleveland & Cuyahoga Railway     Cleveland Port Railway
- Fulton County Railway     Georgia & Florida Railway     Georgia Woodlands Railroad
- Newburgh & South Shore Railroad     Northern Ohio & Western Railway
- River Ridge Railroad     Savannah Industrial Transportation

**Date:** \_\_\_\_\_

**Duration (Start & End Date):** Start on \_\_\_\_\_ and Ending on \_\_\_\_\_

**Job Location:** Track located at \_\_\_\_\_

**Start & Stop Times:** Begin each day at \_\_\_\_\_ and End at \_\_\_\_\_

**Description of Work:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
*(Attach any plans indicating work area).*

**Work Crew:** The work will be performed by: \_\_\_\_\_

The equipment used will be: \_\_\_\_\_

**Railroad Permit#** \_\_\_\_\_  
*(You are required to have a valid permit number)*

**Party Responsible for Payment:** \_\_\_\_\_  
*This document must be completed by the entity responsible for payment of services.*

**Contact Name / Title:** \_\_\_\_\_

**Signature of Authorized Representative:** \_\_\_\_\_  
*I agree to pay the fees and to the terms as specified in this document.*

**Phone:** \_\_\_\_\_ **Fax:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Accounts Payable Contact:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **Fax:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Billing Address:** \_\_\_\_\_

**Purchase Order Number:** \_\_\_\_\_  
*(List P.O. # or Project # you wish for us to include in our invoice)*

***SPECIAL NOTE: Prior to working within this railroad's right of way, all personnel may be required to complete a Roadway Worker Training Protection or Contractor Orientation Training Course as mandated by the parent company OmniTRAX. Consult your issued permit for details.***

*Fees and additional details on second page*

### **Railroad Flagging Services Details:**

- Railroad's approved vendor for providing Railroad Flagging Services is National Railroad Safety Services (NRSS) [www.nrssinc.net](http://www.nrssinc.net)
- For Scheduling, contact NRSS Midwest District Manager: David Shepherd at Office Phone (877) 984-6777 ext. 104, Cell (513) 617-6633, Email: [dwshepherd@nrssinc.net](mailto:dwshepherd@nrssinc.net).
- This request shall be submitted fourteen (14) calendar days in advance of any work to be performed within twenty-five (25) feet of nearest rail.
- Note: All projects are scheduled on a first come, first served basis. Contractors must be flexible with their schedules.
- You are required to include with his Railroad Flagging Services Agreement a fully executed permit from OmniTRAX, including plans and specifications. No permit, no access to the property will be granted unless authorized by an OmniTRAX Representative in writing to proceed.
- Railroad/NRSS reserves the right to cancel and reschedule for any reason. Railroad/NRSS will not be liable for any expenses incurred by the contractor and their subcontractors, etc.
- A Railroad/NRSS Railroad Flagger(s) will be required when personnel or equipment are within twenty-five (25) feet of nearest rail. This includes any equipment in the vicinity with the potential to tip over or encroach within twenty-five (25) feet of the nearest rail. (*FRA Mandate*).
- Once the request has been approved, a Railroad Flagger will be provided by the Railroad or it's approved vendor, National Railroad Safety Services (NRSS) at the cost of the requestor.
- Projects involving any excavation or boring must be coordinated with the respective Railroad Signal Personnel (by territory) a minimum of 72 hours prior to beginning the project to locate any buried cable. Railroad Signal Personnel will either mark where signal cable is buried or verify worksite to be free of any cables, track wires or other signal devices that could be potentially affected by the project. No work will be performed by contractor(s) until a cable locate has been performed. Railroad reserves the right to charge the contractor separately for this service. All other utilities must be located by the respective owner of utility.
- Contractor's personnel, subcontractors, etc. must remain in full compliance with safety policies and procedures as prescribed by the railroad and in accordance with the Code of Federal Regulations Title 49, Part 214 Railroad Workplace Safety. Non-compliance could result in immediate removal, permanent ban and possible prosecution by railroad and/or the Federal Railroad Administration.

### **Railroad Flagging Services Fees:**

- The cost of the Railroad Flagger is \$920.00 per 8 hour day, 8-hour minimum charge applies. Cost includes: 1 Railroad Flagger, project vehicle and flagging kit.
- Additional time may be charged for set-up of On-Track Protection such as Form B's and/or portable derailed. This typically adds up to 2 additional billable hours per shift.
- The overtime rate is \$150.00 per hour after 8 hours worked.
- Railroad Flagger working Saturdays, Sundays or Legal Holidays will be billed at the overtime rate. Minimum 8-hour charge applies.
- Any cancellations must be made 24 hours in advance of the scheduled day of flagging to avoid being charged a minimum of 8 hours. No voicemails and/or emails will be accepted.
- If a Hi-Rail Vehicle is required, there will be an additional charge of \$28.00 per hour. Railroad/NRSS employee use only.
- This form must be signed by the authorized representative and returned via email.
- Unless prior arrangements are made, NRSS invoices on a weekly basis. All payments are due upon receipt.
- A late charge of 18% or a minimum of \$100.00 may be charged to unpaid invoices over 30 days past due.
- Prevailing wage projects will be quoted separately.
- Entity requesting a Railroad Flagger must have authorization from the railroad to work inside their right of way and have all required permits, insurance and training (if any required) in place at the time of scheduling.