

Escanaba & Lake Superior Railroad
One Larkin Plaza
P.O. Box 217
Wells, MI 49894-0217

906-786-0693

elswells@elsrr.com

Right of Entry Information (MI)

Cost is \$1,500.00 for Application*

The Escanaba & Lake Superior Railroad Company (Railroad) requires everyone (contractor, consultants, etc.) working on Railroad property to have a Right-of-Entry (ROE) License Agreement. ROE license agreement applications are handled by email. Once Railroad receives the information requested below, including the project location, map, and all other applicable information, If application is approved, Railroad will draw up a ROE License Agreement, and will forward electronic copy by email for applicant's execution. Applicant must return one (1) executed original copy, a check for \$1,500.00*, and proof of insurance, together in one package to the address above. Application and ROE License Agreement will be delayed if Railroad receives the required documents separately, incomplete, or inaccurate. Railroad will return a fully executed digital copy of the ROE License Agreement by email for Applicant's files and records. No work may occur on Railroad property nor will flagging protection be provided until ROE License Agreement has been fully executed by both parties and returned. Please contact Railroad a minimum of three (3) weeks prior to the project start date.

* Fee may be increased for special handling.

Please use this form and return by email to submit application request for a Right of Entry agreement.

Contact name –

Name of contractor -

Street Address –

City, State, Zip –

Telephone –

Reason for ROE –

Duration of ROE (Include start and finish dates) –

Location of project (City, State) with nearest railroad milepost or crossing id number –

Public Agency's Project No. –

Public Agency Easement No. –

Email the completed form to: elswells@elsrr.com

Note: Fully executed ROE may take up to 3+ weeks to obtain

Safety

ALL contractor personal will have to comply with Railroad safety requirements including and before entering upon the property of the Railroad for performance of any work, secure permission from the Chief or Assistant Dispatcher (906-786-0693) of the Railroad for the occupancy and use of the Railroad's property and shall confer with the Railroad relative to requirements for railroad clearances, operation and general safety regulations.

EXCEPTION: Railroad has exempted those it classifies as "Delivery Persons". This will include contractors such as UPS, FedEx, trucking companies, etc. who merely access the property to supply materials or equipment.

Insurance Requirements

Railroad allows outside parties to come onto Railroad property to perform work, such as survey or inspection work, installation of pipelines and wirelines, and other work for projects necessitating the occupancy of Railroad. Before commencing work, and until the license of allowing such occupancy ends or is terminated, outside parties shall provide and maintain the following insurance in form and amount with companies satisfactory to and as approved by the Railroad.

1. Minimum insurance required of outside party:

- A. Statutory Workers Compensation and Employer's Liability Insurance.
- B. Automobile Liability Insurance in an amount not less than \$1,000,000 combined single limit.
- C. Commercial General Liability Insurance (Occurrence Form) in an amount not less than \$5,000,000 per occurrence, with an aggregate limit of not less than \$10,000,000. The policy must name Railroad Company and its parents as additional insureds in the following form:

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The policy must not contain any provisions excluding coverage for injury, loss or damage arising out of or resulting from doing business or undertaking construction or demolition on, near, or adjacent to railroad track or facilities, and using endorsement CG 2417 10 01 or equivalent approved by Railroad.

- D. When outside party is required by Railroad or Governing Authority to purchase Railroad Protective Liability Insurance to cover work on, near or adjacent to railroad track or facilities, and outside party is not being hired for this project by Railroad, outside party must procure Railroad Protective Liability Insurance in the following form;

This coverage shall be written on an Occurrence Form with limits of not less than \$5,000,000 per occurrence for Bodily Injury, Personal Injury and Physical Damage to Property, with an aggregate limit of not less than \$10,000,000. The policy must name:

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- E. Pollution Insurance – AS REQUIRED AND DETERMINED BY PROJECT.
 - F. All policies described above must include description of operations, Railroad Company milepost, highway or street name, city and state of location, project number, and Railroad contact person on the certificate.
2. Before commencing work, outside party shall deliver to Railroad a certificate of insurance evidencing the foregoing coverages and, if requested by Railroad, true and complete copies of the policies described above. If the policy is being issued in conjunction with, or as a result of, a city, county or state contract, the policy should be initially submitted to the respective city, county or state agency that will review it first and then forward it to Railroad.
 3. Common Policy Provisions. Each policy described in paragraph 1, parts A through E above, must include the following provisions:

Escanaba & Lake Superior Railroad (E&LS) Emergency Contact Number:

1-800-562-4829

Cable Locates:

E&LS utilities are not part of Digger's Hotline. **Please request a cable locate by using the Flagging - Cable Locate Form. \$250 Fee.**

Flagging Protection:

Rates: \$1100.00 for each basic day (8 hours)
 \$150.00 for each overtime hour
 Weekend or Holiday work is \$150.00 per hour with an 8 hour minimum or
 \$1500.00 plus any overtime.

Flagging must be **prepaid** based on the estimated number of days needed.

Usually only one flagman is required at the work site.

Flagman protection is required when there is any work being done within 25 feet of the centerline of the closest rail, but if you will be using cranes with booms larger than 25' but are working away from the ROW, flagman protection will be required, just in case a crane topples over and violates that 25' rule.

Tyler Delvaux is the contact for arranging flagman protection on your upcoming project. He requires at least a ten business day notice prior to the start of work, to make arrangements for a flagger. Please complete the attached form and forward to Tyler as soon as possible.

E&LS Railroad
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