

M-1 RAIL

7520 WOODWARD, DETROIT, MI 48202
TELEPHONE – 313.528.3044 / FAX – 313.528.3044

REQUEST FOR TRACK ACCESS AUTHORIZATION APPLICATION, PROCESSING INSTRUCTIONS AND TERMS

M-1 RAIL Office Hours of Operation

Monday - Friday (8:00am – 5:00pm) Saturday/Sunday (Closed)

M-1 RAIL Service Hours

Sunday – Thursday (8:00am-8:00pm)
Friday (8:00am – 10:00pm)
Saturday (8:00am – 10:00pm)

Work within 50 feet of M-1 RAIL Infrastructure requires Track Access Permission. Work within 10 feet of the Overhead Contact Wire (OCS) requires line deactivation; any continuous work within its Envelope of Operation requires shutdown of service. Work must be scheduled during non-operational hours unless this requirement is waived due to emergency or major construction work. Authorization to work requires track access training which must be renewed annually.

MINIMUM TEN-BUSINESS DAYS' NOTIFICATION

REQUIRED INFORMATION (NOTE: ALL FIELDS MUST BE COMPLETED)

Location of Work (<i>Affected street – include cross streets</i>)			
Project Date(s): start (<i>mm/dd/yyyy</i>) – end (<i>mm/dd/yyyy</i>)		Monday-Friday Start Time	Monday-Friday End Time
Saturday Start Time	Saturday End Time	Sunday Start Time	Sunday End Time
Contact Information			
Company Name or authorized agent			Right of Way (ROW) permission No.
Applicant Name		Office Phone	Mobile Phone
Applicant e-mail address			Fax (<i>if unable to provide e-mail</i>)
Primary Contact Person (<i>Name & Title</i>)			Mobile Phone 24/7
Alternate Contact Person (<i>Name & Title</i>)			Mobile Phone 24/7
Property owner authorization agent			Mobile Phone 24/7
Authorized agent by name/company			Mobile Phone 24/7

SUPPLEMENTAL INFORMATION

General description of work within Streetcar Right-Of-Way (10' either side from center of track, from Stations, from Traction Power Substations, and from Overhead Contact System poles/wires). ▼ Include description in space below ▼		
Nature of Work		
Will general-purpose traffic be detoured or shifted because of work? ▼ If "YES" continue below ▼	(Check one) ►	<input type="checkbox"/> YES <input type="checkbox"/> NO
Traffic Control Plan (Brief Description of Official Detour Route, Traffic Shift & Pedestrian Accommodations)		
Will work affect Streetcar Station Stops? ▼ If "YES" continue below ▼	(Check one) ►	<input type="checkbox"/> YES <input type="checkbox"/> NO
Location of station stop(s) and how affected		
Will equipment/personnel enter the envelope of operation* or be below track slab? *5 feet either side from center of track – and plane reaching to height of streetcar (14') ▼ If "YES" continue below ▼	(Check one) ►	<input type="checkbox"/> YES <input type="checkbox"/> NO
Type of equipment used and estimated frequency & duration for it and workers being inside the envelope or underneath the slab		
Will equipment/personnel continuously need to be inside envelope? ▼ If "YES" see below ▼	(Check one) ►	<input type="checkbox"/> YES <input type="checkbox"/> NO
Continuous work inside or underneath the envelope is not allowed during Streetcar hours of operation – Work must be scheduled during non-operational hours which can vary if after-hours events or training is scheduled		
Will any equipment/personnel come within 10 feet of OCS or Traction Power Substations*? *Overhead Contact System (High Voltage Line) ▼ If "YES" see below ▼	(Check one) ►	<input type="checkbox"/> YES <input type="checkbox"/> NO
Work within 10' of the OCS requires line deactivation during non-operational hours – A meeting with M-1 RAIL will be needed before deactivation request can be considered. Please contact M-1 RAIL to arrange for a meeting.		
If work requires continuous access to the envelope of operation or an OCS outage, will more time be needed than during allowed nightly non-operational hours? ▼ If "YES" see below ▼	(Check one) ►	<input type="checkbox"/> YES <input type="checkbox"/> NO
Work that requires continuous access to the envelope of operation, an extended OCS outage or extensive trenching underneath the track slab requires the shutdown of streetcar operations and implementation of a bus bridge shuttle and is allowed only for extreme emergency work		

CONFIRMATION OF REQUEST

FOR M-1 RAIL USE ONLY		
permission Request approved? <input type="checkbox"/> Yes <input type="checkbox"/> No If "NO" then explanation for denial ►		
Approved? <input type="checkbox"/> Yes <input type="checkbox"/> No Manager:	Date:	Dispatch notified? <input type="checkbox"/> Yes <input type="checkbox"/> No
Request rescinded by M-1 RAIL/ or cancelled by submitter? ▼ If "YES" then reason for rescinding or cancelling ▼		Yes DATE RESCINDED OR CANCELLED
NAME	INSURANCE RECEIVED/ON-FILE <input type="checkbox"/> Yes <input type="checkbox"/> NO	DATE APPROVED/REJECTED <input type="checkbox"/> Approved <input type="checkbox"/> Rejected

INSTRUCTIONS TO APPLICANTS:

M-1 RAIL requires a Track Access permission Application (TAP) for any work being done within 50 feet of the M-1 RAIL operating rail system, including rails, Overhead Contact System (OCS), Traction Power Substations (TPSS), underground services, street lights or any of the 12 stops (20 Stations) associated with the Q-LINE. The attached application includes:

- **Streetcar Track Access permission Application (TAP) Form (pages 1 & 2)** – The applicants Owner Authorized Representative shall indicate (at the top of the permission application form) the start and ending dates and times needed to perform the project. Return the Track Access permission Application to M-1 RAIL (electronically – trackaccesspermissions@m1rail.org) for pre-approval prior to the start of any work. If there is more than one owner authorized representative for the project, provide the contact information for each representative.
- **M-1 RAIL General Conditions (pages 3 & 4)**
- **Description of Standard Insurance Requirements (page 6 & 7) Must be signed**
- **M-1 RAIL Asset Location Map (page 8)**

The Owner Authorized Representative must also submit the following documents with the permission Application:

Item A Detailed Work plan (Scope of Work) Unless otherwise agreed to.

Item B Description of all equipment (if any) that will be utilized in performing the work.

Item C Diagram of the work site - near or around M-1 RAIL tracks, OCS, Substations or Manholes between or within 10 feet of the tracks.

Item D A Certificate of Insurance shall be submitted before the start of the work (see the insurance requirements in the Terms and Conditions)

Once approved the applicant must call the M-1 RAIL Contract Representative and coordinate timing and work schedules at least 24 hours before the start of work. **IMPORTANT: You must notify the Operations Control Center (OCC) AT LEAST 30 MINUTES PRIOR TO ENTERING, BEFORE WORK STARTS, and PRIOR TO EXITING THE RIGHT OF WAY.** If you need further information to assist you in completing the TAP form, please call 313-398-2469 or **THE M-1 RAIL CONTROL CENTER AT (313) 528-3044.**

By signing and submitting a Track Access permission Application the applicant is agreeing that the General Terms and Conditions apply to all work or activities that are the subject of the Application.

M-1 RAIL GENERAL CONDITIONS

System Description: M-1 RAIL is a 501(c)(3) nonprofit corporation operating a 3.3 miles fixed rail Streetcar System that operates in mixed traffic on Woodward Avenue from Larned Street to Bethune Street. The Streetcar System is known as Q-Line. The Streetcar System includes steel running rails, 750 volts DC OCS & Charge Bars, critical train controls such as Train to Wayside Communications (TWC), communication systems, and Overhead Contact System (OCS) and street lights. There are 12 stops with 20 Stations and 4 Traction Power Substations (TPSSs). These Stops/Stations, in addition to providing access to the Streetcars, contain support systems for the Streetcar Systems. These include, but are not limited to, communications, Charge Bars, power and CCTV. The Streetcar System also includes a maintenance support facility (the Penske Technical Center).

Any activity within fifty feet (50') of any of M-1 RAIL's facilities, including the tracks, Stations, the Penske Technical Center, TPSSs, underground services and OCS (including Charge Bars) is subject to the authorization and approval of M-1 RAIL. This authorization is provided in the form of a Track Access permission (TAP) issued by M-1 RAIL pursuant to this Application. The General Terms and Conditions applicable to any work or activities authorized by the TAP are indicated below. Specific conditions will be included in each individual TAP.

1. The applicant shall provide a minimum of ten (10) days' notice describing the nature of the work within fifty (50) feet of any M-1 RAIL assets to M-1 RAIL prior to commencement of the activity. **The applicant must notify the M-1 RAIL Operations Control Center at least 30 minutes prior to entering, before work starts, and prior to exiting the right of way.**

2. The applicant shall be responsible for obtaining all required permits from local, state and federal authorities prior to the commencement of construction.
3. The applicant agrees to defend, indemnify and hold harmless M-1 RAIL, M-2 RAIL, Transdev Services, Inc., the City of Detroit, the State of Michigan, the Michigan Department of Transportation and the Michigan State Transportation Commission, and their respective current and past appointed officials, directors, officers, employees, agents and consultants from and against any claims, causes of action or expenses, including attorneys' fees, for personal injury (including death) and property damage resulting from the construction and related activities authorized by the Track Access permission.
4. M-1 RAIL, through its employees or agents, shall have the right to monitor the work and conduct such safety inspections as it deems necessary. No such inspection shall relieve the approved applicant from responsibility or liability for any work performed pursuant to the TAP or for compliance with applicable laws, rules, ordinances and other requirements. M-1 RAIL shall have the right to suspend the work if it appears that that work is being performed in an unsafe manner or otherwise in violation of the terms of the TAP. Such suspension shall be effected with reasonable advance notice unless the suspension relates safety concerns, in which event no advance notice is required.
5. The failure of the applicant to fulfill any of the conditions set forth herein shall entitle M-1 RAIL to immediately revoke the TAP.
6. Unless otherwise agreed by M-1 RAIL, the applicant shall maintain a safe means of ingress and egress to and from the M-1 Rail Systems during operating hours.
7. The applicant shall maintain clear access to M-1 RAIL facilities on a 24-hour basis for ingress and egress for emergency, fire and rescue personnel, and maintenance personnel.
8. A contact person shall be designated by the approved applicant to act as liaison with M-1 RAIL for all matters related to work associated with the TAP or the safety of the M-1 RAIL Streetcar System.
9. M-1 RAIL shall have the right to review all plans for the work in advance of issuing the TAP or authorizing work pursuant to the TAP. Such review will be performed solely for M-1 RAIL's own purposes and benefit and shall not relieve the applicant from responsibility for the accuracy, completeness or any other aspect of the plans or the work called for in the plans.
10. No construction elevators or cranes shall be erected on or within fifty feet (50') of M-1 RAIL tracks, OCS, Charge Bars or TPSS's without the prior written consent of M-1 RAIL.
11. The applicant shall provide special protection, such as netting, barricades, walks, screens, scaffolds, etc., in accordance with all applicable federal, state and local codes and as acceptable to M-1 RAIL, to help ensure the safety of M-1 RAIL property, patrons and employees. No work shall be permitted unless such protection is provided as is determined necessary by M-1 RAIL.
12. The applicant must schedule all construction work that may have any impact on the M-1 Rail System during non-operating hours. Non-operating hours are typically 1:00AM-5:00AM Monday through Thursday, 3:00AM-5:00AM Friday, 3:00AM-7:00AM Saturday, and 1:00AM-7:00AM Sunday, although such hours are subject to change in M-1 RAIL's discretion to accommodate ridership demand, special events, training, security exercises or other circumstances.
13. No crane lifts or other crane operations shall be performed on any structure or wall adjacent to any tracks, any element of the OCS (including Charge Bars) or TPSS without the prior written consent of M-1 RAIL. Those that may require a shutdown could be assessed a fee to cover that cost. For purposes of this paragraph, "adjacent" means within fifty feet (50') of the edge of any track or within twenty feet (20') of any element of the OCS (including Charge Bars) or any TPSS. Under no conditions will loads be permitted over the guideway during hours in which the Streetcar System is operating. Lifts may be permitted during Non-operating hours only when coordinated by utilizing a crane spotter with an M-1 RAIL employee or representative on site. At no

time will any load be allowed on any track area itself. All crane and lift outriggers must be positioned off of the track systems.

14. The applicant shall provide proof to M-1 RAIL that MISSDIG has been contacted for any work that entails any excavation, tunneling or boring near any track that is part of the guideway.
15. The submittal of a safety plan may be required by the applicant. Depending upon the nature of the work, a site-specific safety plan may be required. An applicant safety orientation conducted by M-1 RAIL may be required if M-1 RAIL determines that such an orientation is appropriate.
16. M-1 RAIL may, at its discretion, modify any of the above conditions or impose additional conditions, to help ensure the safety of the public, and M-1 RAIL's patrons, employees, agents or property.
17. Proof of insurance complying with the following insurance requirements is required to be provided to M-1 RAIL prior to the commencement of any work or activity pursuant to the TAP.
18. No flammable material shall be stored near any property of M-1 RAIL, including track, the OCS (including Charge Bars), Stations, TPSSs or the Penske Technical Center.
19. The applicant may be required to obtain a radio from M-1 RAIL to facilitate communication with M-1 RAIL from the work site. In such cases the approved applicant shall have employee(s) trained in the use of the radio and have the radio available for use at the work site.
20. The approved applicant shall not excavate within fifty feet (50') feet of M-1 RAIL facilities without specific written approval.
21. The approved applicant shall take all necessary steps to protect the equipment in the M-1 RAIL Stations

M-1 RAIL

TRACK ACCESS permission (TAP) MINIMUM INSURANCE REQUIREMENTS FOR WORK AROUND THE Q-LINE SYSTEM

Please provide this and the TAP application/description of work to your insurance agent to ensure compliance with the required coverages. Insurance questions can be directed to:

M-1 RAIL

7520 Woodward Ave., Detroit MI, 48202

Phone/Fax (313) 398-2469
trackaccesspermissions@m1rail.org

The applicant, (including Subcontractors), shall provide evidence of the following insurance coverages prior to commencement of work pursuant to the TAP:

- Certificate of Insurance meeting the minimum requirements
 - Sign off of the items listed in this document
 - Copy of COVERAGE endorsements confirming M-1 RAIL's insurance requirements are in force and attached to the insurance certificate
1. Workers' Compensation Insurance for employees which meets Michigan's statutory requirements and Employers' Liability Insurance with minimum limits of \$500,000.00 each accident.
 2. Business Automobile Liability Insurance coverage for all vehicles whether owned, leased, hired or non-owned, in the amount of \$1,000,000.00, combined single limit.
 3. Commercial General Liability Insurance on an "occurrence form" with minimum limits of: \$1,000,000 each occurrence, \$1,000,000 Personal and Advertising Injury Limit, \$2,000,000 Products and Completed Operations Aggregate, \$ 1,000,000 Fire and Legal Liability, \$10,000 Medical Payments, and \$ 2,000,000 General Aggregate **per project. Such CGL Insurance shall include Endorsement CG2417 (or equivalent) that modifies the contractual liability to include railroad operations, unless this requirement is waived in writing by M-1 RAIL, and shall meet the following requirements.**
 - a. Additional Insureds shall include M-1 RAIL, M-2 RAIL, M-3 RAIL, the City of Detroit, the State of Michigan, the Michigan Department of Transportation, the Michigan State Transportation Commission and their respective officials, directors, officers, employees, agents and consultants.
 - b. Contractor's insurance shall be **primary and non-contributory**
 - c. **Waiver of Subrogation applies**
 - d. 30 Day Notice of cancellation in favor of M-1 RAIL.
 4. Commercial umbrella or excess coverage providing terms and conditions on a following form excess basis over the primary coverage, with minimum limits of \$5,000,000 each occurrence, and \$5,000,000 aggregate, where applicable.
 5. Other insurance that may also be required include Contractor's Pollution Liability, Professional Liability (E&O) or other depending upon the scope of work.

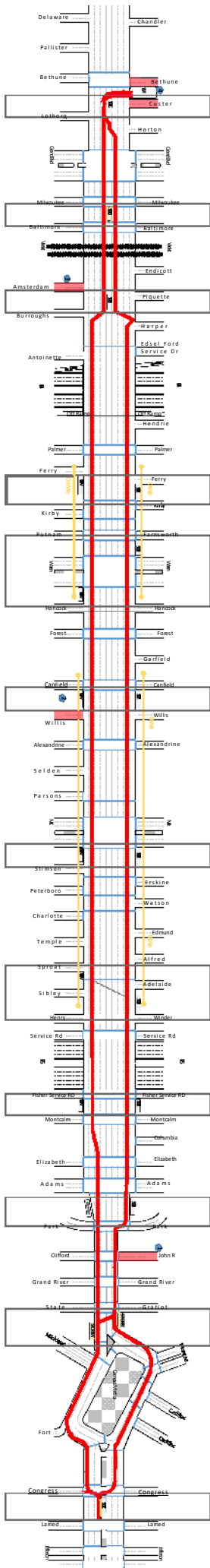
The above provisions are minimum requirements and are subject to change depending upon the nature of the work.

The undersigned hereby applies for a Track Access Permission pursuant to the terms and conditions set forth above. The undersigned hereby accepts the General Terms and Conditions and agrees that they apply to all work and activities that are authorized by the Track Access Permission. The undersigned agrees that all of the terms and conditions of this Track Access Permission, including the General Terms and Conditions, represent contractual obligations of the undersigned that are enforceable by M-1 RAIL.




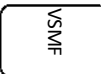

Name

Title

Date



Right of Way Track Access permission required when within 50 feet of any of the following:

-  Track Bed
-  Station Platform
-  Overhead Cantenary System
-  Pense Tech Center
-  Traction Power Sub Station and adjacent street