



# Wisconsin Department of Transportation

## Division of Transportation Systems Development

Bureau of Project Development  
4822 Madison Yards Way, 4<sup>th</sup> Floor South  
Madison, WI 53705

Telephone: (608) 266-1631  
Facsimile (FAX): (608) 266-8459

April 27, 2021

### NOTICE TO ALL CONTRACTORS:

**Proposal #11: 2030-15-70**  
**N Lovers Lane Road,**  
**Bridge Over UP RR B-40-435**  
**Loc Str**  
**Milwaukee County**

**Letting May 11, 2021**

This is Addendum No. 02, which provides the following:

#### Special Provisions:

Revised Special Provisions	
Article No.	Description
6	Railroad Insurance and Coordination - Union Pacific Railroad Company.

#### Schedule of Items:

Added Bid Item Quantities					
Bid Item	Item Description	Unit	Old Quantity	Revised Quantity	Proposal Total
801.0117	Railroad Flagging Reimbursement	DOL	0	46,000	46,000

#### Plan Sheets:

Revised Plan Sheets	
Plan Sheet	Plan Sheet Title (brief description of changes to sheet)
21	Miscellaneous Quantity (one item is added to table)

The responsibility for notifying potential subcontractors and suppliers of these changes remains with the prime contractor.

Sincerely,

*Mike Coleman*

Proposal Development Specialist  
Proposal Management Section

**ADDENDUM NO. 02**

**2030-15-70**

**April 27, 2021**

**Special Provisions**

**6. Railroad Insurance and Coordination - Union Pacific Railroad Company.**

*Replace entire article with the following:*

**A. Description**

Comply with standard spec 107.17 for all work affecting Union Pacific Railroad Company property and any existing tracks.

**A.1 Railroad Insurance Requirements**

In addition to standard spec 107.26, provide railroad protective liability insurance coverage as specified in standard spec 107.17.3. Insurance is filed in the name of Union Pacific Railroad Company.

Notify evidence of the required coverage, and duration to David C. LaPlante, Senior Manager-Real Estate-Special and Public Projects, 1400 Douglas St. STOP 1690, Omaha, NE 68179; Telephone: (402) 544-8563; E-mail: [dclaplante@up.com](mailto:dclaplante@up.com).

Also send a copy to the following: Joshua Lee, SE Region Railroad Engineer; 141 N. W. Barstow Street, Waukesha, WI 53188; Telephone (262) 548-8673; E-mail: [joshua.lee@dot.wi.gov](mailto:joshua.lee@dot.wi.gov). and send a copy to Casey Wierzchowski, SE Region Environmental, Railroad, and Records Supervisor; 141 N. W. Barstow Street, Waukesha, WI 53188; Telephone (262) 588-0639; E-mail: [casey.wierzchowski@dot.wi.gov](mailto:casey.wierzchowski@dot.wi.gov).

Include the following information on the insurance document:

- Project ID: 2030-15-70
- Project Location: Milwaukee, WI
- Route Name: North Lover's Lane Rd, Milwaukee County
- Crossing ID: 178869B
- Railroad Subdivision: Shoreline Subdivision
- Railroad Milepost: 96.81
- Work Performed: Surface repairs and epoxy injection to the top and underside of the haunched slab, abutments, and piers; replacing approach slabs; install approach guard rails; placement of a concrete overlay.

**A.2 Train Operation**

Approximately 2 through freight trains operate daily at up to 10 mph. There are no switching movements

**A.3 Names and Addresses of Railroad Representatives for Consultation and Coordination**

**Construction Contact**

Chris T. Keckeisen, Manager Special Projects - Industry & Public Projects Engineering Department; 1400 Douglas, MS 0910, Omaha, NE, 68179; Telephone (402) 5445131; E-mail [ctkecke@up.com](mailto:ctkecke@up.com) or Richard Ellison, Project coordinator, 207 Powell Avenue, Labadie, MO, 63055; Telephone (847) 323-7197; E-mail [richardellison@up.com](mailto:richardellison@up.com) for consultation on railroad requirements during construction.

Amend standard spec 108.4 to include the railroad in the distribution of the initial bar chart, and monthly schedule updates. The bar chart shall specifically show work involving coordination with the railroad.

**Flagging Contact**

See Construction Contact. If more than 30 days of flagging is required contact UP 30 days prior to needing a flagger on site. Reference the Wisconsin Milepost and Subdivision located in A.1.

### **Cable Locate Contact**

In addition to contacting Diggers Hotline, contact the UP Call Before You Dig line at (800) 336-9193 at least five working days before the locate is needed. Normal business hours are 6:30 AM to 6:30 PM, Central Time, Monday through Friday, except holidays and are subject to change. Calls will be routed at all times in case of an emergency. Reference the Wisconsin Milepost and Subdivision located in A.1.

UP will only locate railroad owned cable buried in the railroad right-of-way. The railroad does not locate any other utilities.

### **A.4 Work by Railroad**

The railroad will perform the work described in this section, except for work described in other special provisions and will be accomplished without cost to the contractor. None.

Amend standard spec 108.4 to include the railroad in the distribution of the initial bar chart, and monthly schedule updates. The bar chart shall specifically show work involving coordination with the railroad.

### **A.5 Temporary Grade Crossing**

If a temporary grade crossing is desired, submit a written request to the railroad representative named in A.3 at least 40 days prior to the time needed. Approval is subject to the discretion of the railroad. The department has made no arrangements for a temporary grade crossing.

### **A.6 Temporary Clearances During Construction**

*Replace standard spec 107.17.1(3) items 4.1 and 4.2 with the following:*

- 4.1 Provide 15 feet 0 inches plus 1.5 inches per degree of track curvature, measured horizontally from the track center line.
- 4.2 Provide 21 feet 6 inch measured vertically above the top of the highest rail.

## **B Railroad Flagging**

Arrange with the railroad for the flagging of trains and safety of railroad operations if clearances specified in subsection 107.17.1 are not maintained during construction operations. At any other time in railroad representative's judgment, the contractor's work or operations constitute an intrusion into the track zone and create an extraordinary hazard to railroad traffic, and at any other time when flagging protection is necessary for safety to comply with the operating rules of the railroad.

Projects with concurrent activity may require more than one flagger.

Projects with heavy contractor activity within 25 feet of the centerline of any track or unusual or heavy impact on railroad facilities will normally require a full-time flagger.

The department and railroad will monitor operations for compliance with the above flagging requirements. Violations may result in removal from railroad property until arrangements to adhere to the flagging requirements are satisfied. If the railroad imposes additional flagging requirements beyond the above flagging requirements due to the previous violations, the contractor shall bear all costs of the additional flagging requirements.

## **C Flagging by Railroad– Railroad Does Not Pay Flagging Costs**

### **C.1 General**

*Replace paragraph (1,3 and 4) of standard spec 107.17.1 with the following:*

- (1) Coordinate with the railroad for all work performed within 25 feet of the track centerline including equipment or extensions of equipment that can fall within 25 feet of the track centerline or adjacent facilities or when working on railroad right-of-way. Include the following on all submittals and other written communications with the railroad:

- WisDOT crossing number.

- Railroad milepost.
- Railroad subdivision.

(3) Perform all work within 25 feet of the track centerline including equipment or extensions of equipment that can fall within 25 feet of the track centerline or adjacent facilities or when working on railroad right-of-way in a way that does not interfere with the safe and uninterrupted operation of railroad traffic. Maintain clearances during construction as follows:

1. Do not operate equipment closer than 25 feet horizontally from a track centerline or 22 feet vertically above the top of a rail, except under the protection of railroad flaggers.
2. Do not store materials or equipment closer than 25 feet horizontally from a track centerline.
3. Provide an obstruction-free work zone adjacent to a track extending 12 feet or more horizontally on both sides of the track centerline. Keep this work zone free of construction debris.
4. Unless the railroad's chief engineering officer approves otherwise in writing, maintain minimum clearances from falsework, forms, shoring, and other temporary fixed objects as follows:
  - 4.1 Provide 12 feet, plus 1.5 inches per degree of track curvature, measured horizontally from the track centerline.
  - 4.2 Provide 21 feet, plus compensation for super-elevated track, measured vertically above the top of the highest rail.

(4) Comply with the railroad's rules and regulations when work is within 25 feet of the track centerline including equipment or extensions of equipment that can fall within 25 feet of the track centerline or adjacent facilities or when working on railroad right-of-way. If the railroad's chief engineering officer requires, arrange with the railroad to obtain the services of qualified railroad employees to protect railroad traffic through the work area. Bear the cost of these services and make payment directly to the railroad. Notify the appropriate railroad representative as listed in section A.3 above, in writing, at least 40 business days before starting work near a track. Provide the specific time planned to start the operations.

## **C.2 Rates - Union Pacific**

The following rates, reimbursement provisions, and excluded conditions will be used to determine the contractor's cost of flagging:

- \$1,150 daily rate for an eight-hour day (including wages, labor surcharges, lodging, vehicle and mileage expenses),
- \$1,500 "Rest Time" or nightly rate for weekday overnight work for an eight-hour day (including wages, labor surcharges, lodging, vehicle and mileage expenses)
- \$1,260 daily rate for an eight-hour day on Saturdays, Sundays, or holidays (including wages, labor surcharges, lodging, vehicle and mileage expenses)
- \$1,500 "Rest Time" or nightly rate for weekend overnight work for an eight-hour day (including wages, labor surcharges, lodging, vehicle and mileage expenses)
- \$175 per hour overtime rate for all time worked before or after the regular assigned eight hours on any day, or for a minimum three hour call on Saturdays, Sundays, or Holidays.

The railroad will require pre-payment. The flagger is required to set flags each day in advance of the contractor commencing work that will require flagging. The flagger must also remove the flags each day after the completion of work that required flagging. Any time worked before or after the minimum eight-hour flagging day to set or remove flags will be billed at the overtime rate. The contractor is responsible for knowing the requirements of the railroad for arranging and terminating flagging services and for the associated costs of those services.

## **C.3 Reimbursement Provisions**

The actual cost for flagging will be billed by the railroad. After the completion of the work requiring flagging protection as provided in section B above, the department will reimburse 50% of the cost of such services up

to the rates provided above based on paid railroad invoices, except for the excluded conditions enumerated below. In the event actual flagging rates exceed the rates stated above, the department will reimburse 100% of the portion of the rate that is greater than the rates stated above.

#### **C.4 Excluded Conditions**

The department will not reimburse any of the cost for additional flagging attributable to the following:

1. Additional flagging requirements imposed by the railroad beyond the flagging requirements provided in subsection B above due to violations by the contractor.
2. Temporary construction crossings arranged for by the contractor.

The contractor shall bear all costs of the additional flagging requirements for the excluded conditions.

#### **C.5 Payment for Flagging**

The department will pay for the department's portion of flagging reimbursement as specified in section C of this provision under the following item:

ITEM NUMBER	DESCRIPTION	UNIT
801.0117	Railroad Flagging Reimbursement	DOL

The reimbursement payment, as shown on the Schedule of Items, is solely for department accounting purposes. Actual flagging costs will vary based on the contractor's means and methods.

Railroads may issue progressive invoices. Notify the railroad when the work is completed and request a final invoice from the railroad. Promptly pay railroad-flagging invoices, less any charges that may be in dispute. The department will withhold flagging reimbursement until any disputed charges are resolved and the final invoice is paid. No reimbursement for flagging will be made by the department if a violation of subsection B is documented.

#### **D Rail Security Awareness and Contractor Orientation**

Prior to entry on railroad right-of-way, the contractor shall arrange for on-line security awareness and contractor orientation training and testing and be registered through "e-RAILSAFE" for all contractor and subcontractor employees working on railroad right-of-way. See [e-railsafe.com](http://e-railsafe.com) "Information". The security awareness and contractor orientation training are shown under the railroad's name.

The security awareness and contractor orientation certification is valid for 2 year(s) and must be renewed for projects that will carry over beyond the 2 year period. Contractor and subcontractor employees shall wear the identification badge issued by e-RAILSAFE when on railroad right-of-way. Costs associated with training and registration are incidental to other items in the contract.

#### **E Consent of Entry**

The contractor will be required to obtain a Contractor Right of Entry (CROE) from Union Pacific Railroad prior to working on railroad right of way. Contact the person in A.1 Railroad Insurance Requirements at least 30 days prior to start of work. The CROE will be issued at no cost to the contractor. If the contractor pays for the CROE it will not be reimbursed by the project.

# **CONTRACTOR ENDORSEMENT**

Date 3/25/2021 Folder 3272-49

DOT# 178869B	MP 96.81	Shoreline Subdivision
--------------	----------	-----------------------

A. As a condition to entering upon Union Pacific Railroad Company's ("Railroad") property to perform WORK DESCRIPTION ("Work") described in Consent Letter dated the day of \_\_\_\_\_, \_\_\_\_\_, 2020, ("Public Entity's") Wisconsin Department of Transportation's, contractor,

\_\_\_\_\_ whose address is \_\_\_\_\_

\_\_\_\_\_ (hereinafter "Contractor"), by signing below, acknowledges and agrees to comply with and be bound by the Contractor Endorsement – General Terms and Provisions, including the minimum safety standards, and insurance requirements set forth at:

[https://www.up.com/real\\_estate/index.htm](https://www.up.com/real_estate/index.htm)

Alternatively, cut and paste the following into browser:

[https://www.up.com/cs/groups/public/@uprr/@realestate/documents/up\\_pdf\\_nativedocs/re\\_cont\\_endorsement.pdf](https://www.up.com/cs/groups/public/@uprr/@realestate/documents/up_pdf_nativedocs/re_cont_endorsement.pdf)

B. Upon request, all insurance documentation shall be provided to Railroad.

C. Please note that fiber optic cable may be buried on the Railroad's property. Prior to commencing the Work, the Contractor agrees to contact the Railroad's Telecommunications Operation Center as provided in the general terms and conditions to determine if any fiber optic cable is located on the Railroad's property on or near the location where the Work is to be performed.

D. The Contractor agrees to also provide notice to railroad representative

MTM: Paul Naylor, 414-267-4219, pnaylor.up.com
--

("Railroad Representative"):

E. The term of this Contractor Endorsement shall commence on the date of the execution of this Contractor Endorsement and continue for one year or until such time as Contractor has completed its work on Railroad's property, whichever is earlier, unless sooner terminated.

Please complete this Contractor Endorsement by executing below and submitting with the \$1,025.00 administrative fee payment with the Folder Number indicated to the following address:

Union Pacific Railroad  
Company ATTN: Public

Projects Manager 1400  
Douglas Street  
Mail Stop 1690  
Omaha, NE 68179

\_\_\_\_\_  
*(Name of Contractor)*

By \_\_\_\_\_

**Schedule of Items**

Attached, dated April 27, 2021, are the revised Schedule of Items Page 5.

**Plan Sheets**

The following 8½ x 11-inch sheet is attached and made part of the plans for this proposal:  
Revised: 21

END OF ADDENDUM

Addendum No. 02  
 ID 2030-15-70  
 Revised Sheet 21  
 April 27, 2021

3

LANDSCAPING ITEMS

ITEM NO. UNIT PAY CATEGORY	TOPSOIL 625.0100 SY 0010	INLET PROTECTION TYPE C 628.7015 EACH 0010	INLET PROTECTION TYPE A 628.7005 EACH 0010	SEEDING MIXTURE No.75 LB 630.0175 0010	SEED WATER 630.0500 MGAL 0010	SILT FENCE 628.1504 LF 0010	SILT FENCE MAINTANCE 628.1520 LF 0010	EROSION MAT CLASS II TYPE B 628.2023 SY 0010
LOCATION	STA 34+16.47 TO 38+48.0 LT	1	1	2	1.5	488	488	180
<b>SUBTOTALS (LEFT)</b>	<b>180</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>1.5</b>	<b>488</b>	<b>488</b>	<b>180</b>
LOCATION	STA 34+16.47 TO 38+48.0 RT	1	1	2	1.5	462	462	180
<b>SUBTOTALS (RIGHT)</b>	<b>180</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>1.5</b>	<b>462</b>	<b>462</b>	<b>180</b>
<b>GRAND TOTALS</b>	<b>360</b>	<b>2</b>	<b>2</b>	<b>4</b>	<b>3</b>	<b>950</b>	<b>950</b>	<b>360</b>

GUARDRAIL

ITEM NO. UNIT PAY CATEGORY	MGS GUARDRAIL 3 614.2300 LF 0010	MGS THRIE BEAM TRANSITION 614.2500 LF 0010	MGS GUARDRAIL TERMINAL EAT 614.2610 EACH 0010
LOCATION	STA 34+16.47 TO 38+48.0 LT	25	2
<b>SUBTOTALS (LEFT)</b>	<b>25</b>	<b>79</b>	<b>2</b>
LOCATION	STA 34+16.47 TO 38+48.0 RT	25	2
<b>SUBTOTALS (RIGHT)</b>	<b>25</b>	<b>79</b>	<b>2</b>
<b>GRAND TOTALS</b>	<b>50</b>	<b>158</b>	<b>4</b>

MOBILIZATION

ITEM NO. UNIT PAY CATEGORY	FINISHING ROADWAY (PROJECT) 001. 2030-15-70 213.0100 EACH 0010	MOBILIZATION 619.1000 EACH 0010
LOCATION	PROJECT 2030-15-70	1
<b>GRAND TOTALS</b>	<b>1</b>	<b>1</b>

RAILROAD

RAILROAD  
 FLAGGING  
 REIMBURSEMENTS  
 801.0117  
 DOL  
 0010  
 46,000  
 46,000

PROJECT NO: 2030-15-70

HWY: LOVERS LANE ROAD

COUNTY: MILWAUKEE

MISCELLANEOUS QUANTITIES

SHEET: 21

E

3

FILENAME: \_\_\_\_\_ PLOT DATE: \_\_\_\_\_ PLOT NAME: \_\_\_\_\_ PLOT SCALE: 1:1





Proposal Schedule of Items

Proposal ID: 20210511011 Project(s): 2030-15-70

Federal ID(s): N/A

SECTION: 0001 Roadway Items

Alt Set ID: Alt Mbr ID:

Proposal Line Number	Item ID Description	Approximate Quantity and Units	Unit Price	Bid Amount
0128	999.2000.S Installing and Maintaining Bird Deterrent System	1.000 EACH	_____.	_____.
0130	SPV.0060 Special 101. Inlet Cover Type 55	2.000 EACH	_____.	_____.
0132	SPV.0060 Special 103. Manhole Cover Type 58-A	1.000 EACH	_____.	_____.
0134	SPV.0090 Special 540. Urethane Injection Crack Repair	182.000 LF	_____.	_____.
0136	801.0117 Railroad Flagging Reimbursement	46,000.000 DOL	1.00000	46,000.00
<b>Section: 0001</b>			<b>Total:</b>	_____.
			<b>Total Bid:</b>	_____.

