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Operations Department	101.17	December 21, 2023	REVISION

Title: **WORK PERFORMED ON METROLINK RIGHT OF WAY**

Classifications: <b>OCC – Rail Dispatchers – Maintenance of Way – Contractors</b>
Other Departments: <b>Real Estate – MetroLink Operations – Safety – Risk Management – Engineering &amp; New Systems Development</b>
Issued by:  General Manager MetroLink
Supersedes: SOP 101.17 dated April 8, 2009

#### **I. PURPOSE AND SCOPE**

The purpose of the following requirements is to maintain a safe environment and efficient transit system for MetroLink customers, employees and Contractors when work is being performed on the MetroLink Right-of-Way (ROW).

The following procedures must be followed and all requirements fulfilled before permission will be granted to any individual or group requesting access to the MetroLink ROW to perform work. This includes all work on, under, above, or adjacent to the MetroLink ROW that has the potential to impact train operations. MetroLink ROW is defined as Metro owned property along MetroLink's Light Rail System, including main line tracks, yard tracks, shop tracks, and stations. Work performed on the ROW outside of the alignment or area where trains operate that **will not** impact train operations, e.g. park and ride lots etc., is excluded from the scope detailed in the following procedures.

This procedure is applicable to Contractors and Metro employees.

MetroLink Land Maps defining Metro property lines and a MetroLink Alignment Schematic are available from the Maintenance of Way (MOW) Department upon request.

#### **II. EXHIBITS**

- EXHIBIT A: MetroLink - Contractor Right-of-Way Temporary Work Permit
- EXHIBIT B: Metro Permit Fee Schedule
- EXHIBIT C: MetroLink Alignment Schematic
- EXHIBIT D: Indemnification Agreement and Required Insurance Coverage
- EXHIBIT E: Metro Personnel Right of Way Work Permit (For Metro employees only)
- EXHIBIT F: MetroLink Rule Book



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### **III. DEFINITIONS**

**After Revenue Service (ARS)** is the time period that begins after the last revenue train has passed a portion of the alignment. ARS will vary depending on location. ARS for a given service day is part of the next calendar day. For example; ARS for Monday's service day will occur around 01:30 AM on Tuesday morning.

**Before Revenue Service (BRS)** is the time before revenue trains begin running on a given day. BRS will vary depending on location. Revenue trains begin service daily around 03:30 AM.

**Bi-State Development (BSD)** is a multi-faceted agency that was created to serve as a resource for economic development in the St. Louis region.

**BSD Safety Department (Safety)** is the department of BSD, independent of MetroLink, responsible for the safety of the public, passengers, Metro employees and Contractors.

**Daily Operating Clearance** is the daily record of all temporary restrictions on the MetroLink alignment during revenue service and is updated by OCC. All train operators and Flag Persons must be in possession of a current Daily Operating Clearance.

**Flag person** is a qualified Contractor or Metro employee that is assigned to protect work crews, personnel, and equipment working on or near the tracks to ensure safe passage of trains.

**Fouling a Track** means placement of an individual or an item of equipment in such proximity to the track that the individual or equipment could be struck by a moving train or on-track equipment, or in any case, is within 8'- 6" from the centerline of the nearest in-service track.

**Lookout** is a qualified Metro employee who is qualified to provide warning to ROW workers of approaching trains or on-track equipment. The Lookout should be equipped with the necessary equipment to warn ROW workers of approaching trains, as well as flagging equipment to be used if it is necessary to warn approaching trains. The Lookout's sole duty is to look for approaching trains or on-track equipment, and that provides at least 15 seconds advanced warning to employees before arrival of the trains or on-track equipment.

**Metro Transit (METRO)** is an enterprise of BSD that operates the public transportation system for the St. Louis region.

**MetroLink (ML)** is the light rail system for the St. Louis region.

**MetroLink Operations (MLO)** is the division of Metro responsible for the operation of MetroLink.

**Maintenance of Way (MOW)** is the division of Metro responsible for the maintenance of Metro's ROW.



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**No Clearance Zones** are areas along the MetroLink ROW where there is not 8'-6" clearance from the centerline of the nearest track to the nearest fixed object, e.g. wall, fence, bridge, steep embankment. Within these areas it is not possible for personnel to safely clear from fouling train movement. These areas are designated with reflective **No Clearance** signs on the ROW and by markings on the MetroLink Alignment Schematic.

**Operating Right-of-Way (ROW)** is the area within twenty (20) feet of the centerline of any track on the main line or in a yard.

**Operation Control Center (OCC)** is the designated location from which all MetroLink operations are authorized and directed.

**Pilot** is a qualified Metro employee assigned to facilitate track car or on-track equipment movement when the operator or driver is not qualified on the physical characteristics or rules of the portion of the alignment over which movement is to be made. The pilot will be responsible for the safe movement of on-track equipment to which they are assigned.

**Qualified Flag Person** is a contractor or Metro employee who has successfully completed On the Job Training and has passed Tier 1 and Tier 2 within a calendar year.

- **Upon completion of On the Job training the Qualified Flag Person will be given a sticker to place onto their Tier card signifying the completion of OJT. This sticker will be provided from the Safety Department and only distributed upon completion of OJT**

**Qualified On-the-Job (OJT) Trainer** is a Metro employee in a supervisory position who meets the requirements for a Qualified Flag Person.

**Right-of-Way (ROW)** is land, property and interests therein, acquired by Metro.

**Temporary Restriction** is an approved work zone in the Operating ROW for a Contractor or Metro employee to perform work at the approved location and for an approved duration of time during revenue service hours, all temporary restrictions are listed on the Daily Operating Clearance.

**Train Detection** is a procedure by which a worker acquires ROW access safely by seeing approaching trains and leaving the track before the train arrives at the location at which he is working. This procedure may be used only under certain conditions authorized by OCC.



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**IV. METROLINK TRACK ACCESS QUALIFICATION**

1. The following table summarizes the Track Access Qualification required for any Contractor or Metro employee to be allowed to perform any work on the ROW. Annual recertification is required.

<b>Work or Duties</b>	<b>Qualification Required</b>
Any work within the ROW	Tier 1
Flagging to protect work crews, personnel and equipment in the ROW	Tier 1, Tier 2, OJT
Piloting on-track equipment	Tier 1, Tier 2, and Tier 3

2. Tier 1 is Computer Based Training that requires 100% completion of information slides and knowledge checks to successfully complete.
3. A Qualified Flag Person must complete the in-person Tier 2 course, successfully pass the Tier 2 test, and successfully complete a one-time On-the-Job (OJT) Flag Person Training with a qualified OJT trainer.
  - a) Participants have two (2) attempts after the training course to score at least a 90% to pass the Tier 2 test. Participants who do not pass after the 2 attempts must retake the course.
  - b) Course can only be taken twice. Participant who fails to pass the test after taking the course for a second time will be given probationary period of six (6) months before being allowed in the Tier 2 course again.
    - Safety will maintain a list of any individuals who meet the probationary criteria.
  - c) On-The-Job Training requires Participants to successfully demonstrate the ability to apply the Tier 2 training to practical usage and must pass the OJT Practical Exam\*\* administered by the OJT Trainer.
    - OJT checklists will be kept with an employee's training file and a copy transmitted to the Safety Department for redundant record keeping.
4. If a Metro employee is not qualified at a minimum Tier 2, the employee must be escorted by another employee qualified to Tier 2.
5. Safety will maintain a list of Track Access qualified personnel and their level of qualification.
6. Dates, times and locations of Track Access qualification training classes can be obtained by contacting Safety or Metrolink Operations. This information is posted on the Hub > Safety & Security > Training and under the Track Access Training tab.

\*\*All Qualified Flag Person Metro employees hired before Calendar Year 2024 shall be exempt from practical exam documentation requirements.



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#### **V. GENERAL REQUIREMENTS FOR ACCESS TO METROLINK RIGHT-OF-WAY**

1. To access the MetroLink ROW all Contractor and Metro employees must have a minimum of Tier 1 Track Access Qualification and each work group must be accompanied by at least one person that is Tier 2 qualified to serve as a flagperson or lookout. For unforeseen work for short durations, OCC may authorize unqualified persons access to the ROW if accompanied by a qualified Metro lookout.
2. A work crew must have in its possession an approved *MetroLink – Contractor Right-of-Way Temporary Work Permit* describing the work being performed. Contractors also must meet all additional requirements for ROW access described within this SOP and the referenced exhibits. Metro employees must have in their possession an approved *Metro Personnel Right of Way Work Permit*
3. For unforeseen work for very short durations, OCC may authorize access to the ROW without an approved work permit.
4. Work permits are not required for LRV equipment maintenance performed on the mainline or in the yard and shops.
5. Metro employees that operate on-track equipment must be Tier 3 qualified. Contractors that operate on-track equipment shall be, at a minimum, Tier 1 qualified.
6. A Metro Tier 3 qualified pilot must accompany Contractor on-track equipment. The pilot is to ensure the Contractor's on-track equipment is operated in compliance with Metro operating and safety rules. The requirement for the Metro pilot can be waived by Metro, if it has been determined that the Contractor's operator has sufficient experience with Metro operating and safety rules and is Tier 3 qualified
7. Each individual accessing the ROW shall wear personal protective equipment, including a reflective Class 2 ANSI safety vest, hard hat, safety glasses, and safety toed shoes

#### **VI. CONTRACTOR REQUIREMENTS FOR ACCESS TO METROLINK RIGHT-OF-WAY**

1. The Contractor shall, if requested by Metro, submit a detailed work plan to MetroLink Operations for review and approval by MetroLink Operations, Maintenance of Way, and Safety. After acceptance of the work plan, Contractor will obtain, through the procedure defined in this SOP, an approved *EXHIBIT A: MetroLink - Contractor Right-of-Way Temporary Work Permit* before any work can be performed,
2. The Contractor shall be required to reimburse Metro for all expenses as defined in *EXHIBIT B: Metro Permit Fee Schedule*. Metro reserves the right to waive fees at its sole discretion.
3. The method of payment from Contractor to Metro will be determined by Metro. All Metro expenses for a particular Contractor shall then be accumulated under the associated permit number.
4. The Contractor shall immediately stop any work that deviates from their approved temporary work permit or detailed work plan. Metro shall be contacted and must approve any alternate work procedures.



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5. Contractor work activities can be terminated immediately by MetroLink Operations, Maintenance of Way or Safety, at any time without notice. Typical conditions under which this may occur include, but are not limited to:
  - a) Failure to comply with any of the requirements identified in this SOP or other documents referred to within.
  - b) Safety related reasons.
  - c) Operations schedule-related reasons.
  - d) If work in progress deviates from the written work proposal approved by Metro.
  - e) Flagperson(s) not available.
  - f) Contractors' work interferes with the constant, continuous use of the tracks, property and facilities of the MetroLink system, its employees, its customers or other Contractor's working within the ROW.
  - g) Accidents, injuries, near misses, or vehicle damage.
  - h) Metro rule violations.
6. All on-track equipment shall meet Federal Register 49 CFR, Part 214 standards related to Roadway Maintenance Machine Safety. The Contractor shall submit to Metro a list of qualified operators and which roadway maintenance machines they are qualified to operate. The Contractor shall provide, for Metro approval, documentation of their training and qualification process. Prior to use on the operating ROW, all on-track equipment shall be inspected and approved for use by MOW and Safety.
7. The Contractor shall satisfy all safety requirements including, but not limited to, those found in Exhibit F: MetroLink Rule Book. Copies are available upon request from MOW.
8. The following requirements pertain to excavations:
  - a) The Missouri One Call System, Inc. locate procedure for Missouri and Julie, Inc. procedure for Illinois shall be followed.
  - b) Excavations to either side of tracks shall be at least twenty feet from the centerline of track.
  - c) Excavation under, between or within the track structure or the removal of ballast is prohibited unless approved by Metro.
  - d) Under-track installations must be directionally bored at all times, the minimum depth to the top of conduit shall be the greater of eight feet below top of tie or eight feet below the flowline of ditch.
  - e) Excavations within 5 feet of either side of buried MetroLink signal, power, communication cables, or structure must be performed by hand digging or hydro-vacuum and with MOW personnel present at the dig site.
  - f) At Metro's request, and without cost to Metro, the contractor shall hand excavate to locate existing Metro utilities or structures.
  - g) When cable work is being performed parallel to MetroLink right-of-way, cables shall be laid at the same depth as MetroLink cables. The location of the cables shall be between the MetroLink cables and the property line, not towards the track.



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9. Over-track crossings will be considered on a case-by-case basis. All over-track crossings shall comply with both National Electric Safety Code (NESC) clearances and any MetroLink imposed requirements.
10. The Contractor shall only enter the MetroLink Right-of-Way with an approved temporary work permit, unless otherwise approved by OCC.
11. Work performed by a Contractor on the MetroLink Right-of-Way within 20 feet of the centerline of a main line or yard track shall require a Temporary Restriction to be issued on the Daily Operating Clearance.
12. If the Contractor is performing work outside of 20 feet of the center line of any main line or yard track, and it is possible for equipment e.g. boom, or hoisted equipment etc, to foul the operating ROW or has the potential of making contact with the catenary, a Temporary Restriction shall be required.
13. A Temporary Restriction will require a dedicated flagperson to provide flag protection for the work crew. Refer to SOP 103.04 for more information on flagging requirements.
14. The Contractor shall comply with all applicable federal, state, and local laws, regulations, and standards affecting their work.
15. As a limitation to any rights or licenses that may be granted to the Contractor, Metro reserves the right to use and maintain its entire property. This includes Metro's right to construct, maintain, repair, renew, use, operate, change, modify, or relocate railroad tracks, roadways, station platforms, signal, communication, fiber optics, power, or other wire lines, pipelines and other facilities upon, along or across any or all parts of its property. All or any of the above mentioned use and maintenance may be done at any time or times by Metro without liability to the Contractor or to any other party for compensation or damages.
16. The Contractor is required to comply with Metro's *EXHIBIT D: Indemnification Agreement and Required Insurance Coverage*.
17. Metro reserves the right to fully investigate all Contractor accidents, injuries, near misses, or vehicle damage and the Contractor and its employees agree to comply and assist Metro in all aspects of these investigations. This includes, but is not limited to, drug and alcohol testing, employee interviews, written reports, and requests for documentation.
18. Contractor employees who work on the MetroLink ROW shall be required to comply with Metro's Drug and Alcohol Policy.
19. In the event that the Contractor disturbs, or modifies Metro's property in any manner, the Contractor shall restore the property to the same condition it was in before the Contractor performed work. Such restoration shall be to the satisfaction of the Sr. Director of Maintenance of Way. The Contractor shall be billed for all work required to restore property to its original condition.



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#### **VII. CONTRACTOR PROCEDURE TO ACCESS METROLINK RIGHT-OF-WAY**

1. The Contractor shall request a Right-of-Way Work Permit packet of information from the contractor resources section of [www.metrostlouis.org](http://www.metrostlouis.org)
2. The MetroLink Project Manager will distribute to the Contractor SOP 101.17 with Exhibits A, B, and D. The Contractor may request Exhibits C, and F. Exhibit E is for Metro employee use only.
3. The Contractor then submits to Metro the permit application fee, the *EXHIBIT A: MetroLink Contractor Right-of-Way Temporary Work Permit*, their detailed work plan and relevant project drawings. All other required documents should be submitted a minimum of 14 days prior to their proposed start date. This will include the indemnification agreement and required insurance coverage as described in *EXHIBIT D: Indemnification Agreement and Required Insurance Coverage*.
4. The MetroLink Project Manager will then distribute the permit and detailed work plan to Metro Real Estate and Safety for approval. MLO will facilitate a pre-project planning meeting with the Contractor, if required.
5. The MetroLink Project Manager then contacts the Contractor with approval and the necessary requirements for Track Access Qualification.
6. The Contractor completes the required Track Access Qualification training (Tier Training).
7. The Contractor submits its *MetroLink – Contractor Right-of-Way Temporary Work Permit* no later than Wednesday 12 Noon, prior to the week the work will be performed. The permit must be resubmitted every week during the length of the project. The permit submittal day and time may be affected by holiday work schedules. Metro's work week begins at BRS Monday.
8. If the proposed project changes significantly, a new *MetroLink Contractor Right-of-Way Temporary Work Permit* shall be submitted. A new permit number will be assigned after the permit is approved.
9. The Contractor is required to attend the weekly Track Allocation meeting scheduled for Thursday 8:30AM. This affords the opportunity for MLO and MOW to better understand and pose questions regarding the proposed work.
10. Scheduling of work activities is subject to availability of Maintenance of Way, Operations and Safety personnel, as well as the effect it will have on service quality and train schedules. Generally, work requiring a temporary restriction will be allowed to start at 7:30 AM daily. Some work will be restricted to ARS hours, approximately 1:30 AM to 3:30 AM.
11. The Metro Project Manager or MetroLink Operations will provide the Contractor with a copy of their approved temporary work permit. The approved permit will include the permit number. The approved permit must be available on the project site at all times during work activities to confirm permission to occupy the MetroLink Right-of-Way.





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12. The Contractor must contact OCC and request permission prior to accessing the ROW. OCC has authority over all activity along the ROW at all times.
13. The Contractor must communicate to OCC any change to their temporary work permit. The change could be in start time, a change in location, cancellation of the work, etc. The communication to OCC shall be by email to [dailyclearanceupdate@metrostlouis.org](mailto:dailyclearanceupdate@metrostlouis.org). The change must be communicated no later than 2:00 AM on the day that the change takes effect. Failure to communicate the change shall result in the cancellation of the temporary work permit for the remainder of the permitted week.
14. Once work is complete, and the work area is cleared of materials, equipment, tools, and personnel, the Contractor must contact OCC to confirm that they are clear of the ROW.
15. The Contractor will submit payments as previously determined in Section VI, item 3.

#### **VIII. METRO EMPLOYEE PROCEDURE TO ACCESS METROLINK RIGHT-OF-WAY**

1. The Metro employee submits a completed *Exhibit E: Metro Personnel Right-of-Way Work Permit to MetroLink*
2. Permits are reviewed and approved at the weekly Track Allocation meeting by MetroLink Operations, Maintenance of Way and Safety.
3. MetroLink Operations publishes the Final Track Allocation for the following week, including all revisions.
4. For unforeseen work, such as emergencies or to perform minor corrections or routine inspections, OCC can authorize a Tier 2 qualified Metro employee to access the track without an approved permit.
5. Work performed by an employee on the Operating ROW will require a temporary restriction be issued on the Daily Operating Clearance. Exceptions to the temporary restriction requirement for employees can be granted under the conditions listed in Item 7.
6. A temporary restriction requires a dedicated flagperson be utilized to provide flag protection for the work crew. Speed restriction signs may need to be posted to identify the work zone to approaching trains. Refer to SOP 103.04 for more information on flagging requirements.



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7. Work performed by a Tier 2 qualified Metro employee does not require the issuance of a temporary restriction if one of the following train detection schemes is used so that workers clear from fouling a track to a prearranged place of Safety 15 seconds prior to arrival of a train at maximum authorized speed:

Scheme	Prearranged Place of Safety	Train Speed	Special Notifications
A	Outside the Operating ROW	Maximum Authorized Speed	None
B	Within Operating ROW	Restricted Speed	OCC must contact a minimum of the next two approaching trains in the affected area before authorizing work or movement in this area. If work is for an extended time period, OCC will notify approaching trains as necessary to protect the workers.

**If all four conditions listed below cannot be met, a lookout must be assigned to provide the workers warning of approaching trains.**

- I. Workers are performing minor corrections or routine inspections.
  - II. No power tools or equipment are being used in hearing range of the workers.
  - III. Workers are performing tasks that allows them to be attentive to train movement.
  - IV. The ability of the workers to hear and see approaching trains is not impaired by background noise, lights, precipitation, fog, passing trains or other obstructions or physical conditions.
8. Work performed in a No Clearance Zone requires removal of the track from service, or the issuance of a temporary restriction for BOTH tracks. This is to ensure workers have a safe zone to clear to.

For unforeseen or emergency situations, OCC can authorize entry into No Clearance Zones for short durations without the issuance of a temporary restriction, but the following steps must be taken:

- a) Train operation must be temporarily stopped on the track(s) in the area where the workers will be located.
- b) Normal train operation in the affected area cannot resume until OCC is advised by the workers that they are no longer fouling the track on which the train will operate.
- c) Trains must pass the workers at restricted speed, if personnel remain within the Operating ROW.