

METROLINK

**Southern California
Regional Rail Authority**

METROLINK

**RIGHT OF WAY
ENCROACHMENT PROCESS**

Revision
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Prepared by
SCRRA Track & Signal Infrastructure Maintenance

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SCRRA RIGHT-OF-WAY ENCROACHMENT PROCESS

1.0 GENERAL

- A. All work activities within the Southern California Reginal Rail Authority (SCRRA) operating corridor and right-of-way, or work activities that affect the operation or safety of trains must be reviewed and approved by SCRRA. Typical work activities are categorized into the following project types:
- i. Permanent Facility: Installation of new pipelines (water, sewer, gas, oil, stormwater), wirelines (electrical, traffic, fiber optic cables), or billboards that will be permanent.
 - ii. Temporary Encroachment: Temporary installation of pipelines or wirelines, temporary encroachment for adjacent site development, street maintenance within the railroad right of way, temporary encroachment for vegetation removal or graffiti abatement.
 - iii. Survey and Filming: Site surveying with portable equipment, site observations, and filming with portable equipment.
 - iv. Operation & Maintenance: Operations, maintenance, or removal of installations where the project owner has an existing license agreement with an SCRRA Member Agency.
 - v. House Moving or movement of oversized loads across railroad tracks: Any movement of equipment or loads which exceed the width or weight limits of the road.

1.1 Overview of Requirements

- A. The Right-of-Way Encroachment Process must be followed for all activities described in Section 1.0 General.
- B. An executed Right-of-Way Encroachment agreement (i.e. Form 4, Form 5, Form 6) is required prior to the commencement of any activities within the right-of-way or affecting train operations. A license agreement may be required.
- C. The Applicant's on-site representative must have a copy of the executed Right-of-Way Encroachment available for inspection at all times when on the right-of-way.
- D. Each individual working on the right-of-way must successfully complete Railroad safety training.
- E. Railroad flagging and safety training services are only provided by SCRRA authorized contractors.
- F. SCRRA Cable Marking must be completed prior to the commencement of work and may be required to be refreshed throughout the project duration.

1.2 System Information

- A. SCRRA is a five-county joint powers authority, created pursuant to California Public Utilities Code Section 130255 and California Government Code Section 6500 et seq., to plan, design, construct, and then maintain and administer the operation of the regional passenger rail lines serving the counties of Los Angeles, Orange, Riverside, San Bernardino, and Ventura. SCRRA operates the Metrolink commuter rail service.
- B. SCRRA plans, designs, builds, operates, and maintains a commuter rail system in the five-county area on rail rights-of-way owned by the member agencies. Two major freight rail carriers, BNSF Railway Company (BNSF) and Union Pacific Railroad (UPRR), and the inter-city passenger carrier Amtrak, operate on SCRRA tracks through shared track agreements. SCRRA in turn operates on tracks owned by BNSF, UPRR, and North County Transit District (NCTD).
- C. Figure 1 shows the Metrolink System including stations and connecting rail transit lines. Digital maps are available on the Metrolink website.

Figure 1 Metrolink Regional Rail System Map (2022)



1.3 Contact Information

- A. All submittals must be sent electronically to:

Right-of-Way Encroachments Coordinator
rightofentry@scrra.net

- B. For additional information or to follow up on the status of an application contact:

Mr. Eric Reese, Right-of-Way Encroachments Coordinator
ReeseE@scrra.net
(909) 667-8108

- C. To mail a paper check or submit updated insurance certificates use the following mailing address:

*Southern California Regional Rail Authority
2700 Melbourne Ave Pomona, California 91767
Attn: Mr. Eric Reese, Right-of-Way Encroachments Coordinator*

- D. **In case of emergency or to report issues with the highway-rail at-grade crossing call the 24-hour SCRRRA Communications & Signal Emergency line at 1-888-446-9721.**

1.4 Useful Resources

- A. Metrolink Website includes information about SCRRRA, Facts Sheets & Numbers, Maps and train schedules.
- B. Engineering & Construction page includes the latest engineering standards, specifications, design manuals, and maintenance manuals. The Engineering & Construction page is found under the About menu from the Home page.
- C. Right-of-Way Encroachments page includes the latest contact information, Procedures and FAQ, Right of Way Encroachment Forms, Form 37, requirements for SSWP, and Train Traffic Density. The Right-of-Way Encroachments page is found through a link on the Engineering & Construction page or by searching Right-of-Way Encroachments from the Metrolink Website.

2.0 DEFINITIONS

- A. *Applicant* – The entity which submits the Application for Right of Way Encroachment for a project. The Applicant may be the Project Owner, a contractor or consultant to the Project Owner. The term Applicant includes any contractor completing work covered by the executed Right-of-Way Encroachment agreement.
- B. *Project Owner* – A government entity, public utility, private developer or other entity which owns or is responsible for the project.

- C. *Project Type* – Categories of activities defined in Section 1.0 General.
- D. *Railroad Safety Training* – Required safety training for each individual who will be working on the railroad right-of-way. This is also referred to as “RWP Safety Training”.

3.0 PROCESS OVERVIEW

- A. This section provides an overview of the process required for each project type listed in Section 1.0 General. Review this document in its entirety for detailed descriptions and requirements.
 - i. **Initial Application Submittal** package submitted to rightofentry@scrra.net. SCRRRA receives and reviews submittal package. Incomplete submittals or packages missing information will be returned to the applicant for correction. Once verified as complete, an SCRRRA Project Number is assigned. SCRRRA conducts engineering design review of the project. This step may require more than one resubmittal to address plan review comments.
 - ii. **License Agreement** is necessary for permanent facilities. SCRRRA submits the project to its Member Agency for a License Agreement. The Member Agency will review and execute a license agreement with the project owner.
 - iii. **Construction Submittal** package submitted to rightofentry@scrra.net. SCRRRA receives and reviews the package. This step may require more than one resubmittal to address construction comments.
 - iv. **ROE Encroachment Agreement Executed** and issued to the Applicant allowing the scheduling of training and railroad flagging services. SCRRRA will coordinate SCRRRA Cable Marking and provide a C&S Authorization number to proceed. Refresh of SCRRRA Cable Marking may be required.
 - v. **Work Complete** and project is ready for close out. Applicant submits Confirmation of Completion form to rightofentry@scrra.net. SCRRRA will verify internal billing status and close out the project.

3.1 Process Time

- A. The time period for review and approval of all encroachment activities is estimated in the table below. Every effort will be made to complete the process in a timely manner.

Table 1 Estimate of Process Time

Process Step	Estimated duration (days)
Initial Application	
Application Processing	5-10
Review and Approval by SCRRRA	10-30
Resubmittal by Applicant	10-20
Resubmittal Review and Approval by SCRRRA	5-30
License Agreement	
Issuance of Real Estate Agreement by Member Agency	30-90

Construction Submittal	
Review and Approval by SCRRA	5-10

4.0 INITIAL APPLICATION SUBMITTAL

- A. This section summarizes the contents of the Initial Application Submittal. Table 2 identifies the submittal contents for each project type.
- B. Incomplete submittals will be returned to the applicant for correction.

Table 2 Initial Application Submittal Contents by Project Type

Item Description	Permanent Facility	Temporary Encroachment	Survey and Filming	Operation & Maintenance	House Moving
SCRRA Application for Right-of-Way Encroachment	X	X	*	X	
Plan and profile drawings	X	X		X	
Schedule	X	X		X	X
Existing License Agreement				X	
Application Processing Fee	X	X		X	X

* Initial Application Submittal Not Required. Continue to Section 6

4.1 Application for Right-of-Way Encroachment

- A. The Application for Right-of-Way Encroachment is an electronic fillable form available on the Right-of-Way Encroachments page of the Metrolink website.
- B. The following are mandatory sections of the application and must be filled out completely:
 - i. Section 1: Project Owner Information
 - ii. Section 2: Project Contact Information
 - iii. Section 3: Project Information/Location
- C. The following are required to be completed as applicable to the project:
 - i. Section 4: Underground Structure Information
 - ii. Section 5: Overhead Structure Information

4.3 Plans and Drawings

- A. Plans and profiles will be submitted with each request. The plans should be clear, concise, and accurately reflect the design of the project that meets SCRRA standards and requirements.
- B. Drawing submittals shall include typical sections, plans, key maps, profiles, and cross sections. Drawings will be prepared on 11" x 17" sheets and PDF files shall be submitted to SCRRA. Drawings scale shall be 1"=200' for developed and undeveloped areas, 1"=100' in constrained urban areas and 1"=50' for stations and crossings.

4.4 Schedule

- A. An overview schedule of the project including the duration of work within the right-of-way.
- B. The schedule must include the duration of activities within the right-of-way or affecting train operations.
- C. The schedule must include the installation and removal dates of all temporary encroachment installations (e.g. temporary overhead power lines)

4.5 Existing License Agreement

- A. If the project owner has an existing license agreement for an existing or future permanent installation, include a copy of the executed agreement.

4.6 Application Processing Fee

- A. The application processing fee is comprised of Standard Plan Review, Administration and Contingency. Refer to the Schedule of Fees available on the Right-of-Way Encroachment site.
- B. Additional fees may apply depending on the project details. If the project includes temporary traffic control, shoring or falsework additional plan review fees, as identified on the Schedule of Fees, are necessary.
- C. This is a non-refundable fee for permit processing, administrative support, and engineering plan reviews.
- D. To pay fees through paper checks, make checks payable to "Southern California Regional Rail Authority" and mail to the address below.

*Southern California Regional Rail Authority
2700 Melbourne Ave Pomona, California 91767
Attn: Mr. Eric Reese, Right-of-Way Encroachments Coordinator*

- E. To pay fees through Automated Clearing House (ACH) payment, mark the ACH payment type on the Application for Right-of-Way Encroachment form and submit the Initial Application Submittal. The ROE Coordinator will contact the Applicant to provide additional information for payment.

4.7 Engineering Plan Review of Application Submittal

- A. SCRRA reviews application and plans for compliance to technical and safety regulations, including location of work, horizontal and vertical clearances to tracks, shoring, jacking and false work, any issue determined to impact safety or railroad operations, maintainability, drainage impacts, access to member agency property, compatibility with future plans for rail improvements or use of rail roadway, and existing underground railroad facilities.
- B. Review SCRRA Form 37 Rules and Requirement for Construction on SCRRA Right-of-Way to verify compliance with SCRRA requirements prior to submission.

5.0 LICENSING AGREEMENT

- A. A license agreement is necessary for all permanent facilities.
- B. Member Agency real estate department will review applications for use of the right-of-way. Right-of-Entry agreement cannot be granted by SCRRA until Member Agency real estate agreement is complete.
- C. Generally, agreement processing time will be between 30 - 90 days. Please allow sufficient time for document handling to desired construction date. Before construction begins, real estate agreements must be executed by the Applicant and the Member Agency. License fees will be submitted to the Member Agency directly. The application processing and construction services deposit does not include the license fees.

Table 3 SCRRA's Member Agency Contact Information

Member Agency	Contacts
Metro	Manager, Property Management Los Angeles County Metropolitan Transportation Agency (Metro) P. O. Box 194 (1 Gateway Plaza, 14th Floor) Los Angeles, CA 90053 Phone: (213) 922-2435
OCTA	Right of Way Administrator Orange County Transportation Authority (OCTA) P. O. Box 14184 (550 South Main Street) Santa Ana, CA 92613-1584 Phone: (714) 560-5737
RCTC	Assistant Director, Planning & Programming Riverside County Transportation Commission (RCTC) 3560 University Avenue, Suite 100 Riverside, CA 92501 Phone: (909) 787-7924
SBCTA	Deputy Executive Director San Bernardino County Transportation Authority (SBCTA) 1170 W. 3rd Street, 2nd Floor San Bernardino, California 92410-1715 (909) 884-8276
VCTC	Executive Director

	Ventura County Transportation Commission (VCTC) 950 County Square, Suite 207 Ventura, CA 93003 Phone: (805) 642-1591
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6.0 CONSTRUCTION SUBMITTAL

- A. This section summarized the contents of the Construction Submittal. Table 4 identifies the submittal contents for each project type.
- B. Incomplete submittals will be returned to the applicant for correction.

Table 4 Construction Submittal Contents by Project Type

Item Description	Permanent Facility	Temporary Encroachment	Survey and Filming	Operation & Maintenance	House Moving
SCRRRA Form No. 4					X
SCRRRA Form No. 5			X		
SCRRRA Form No. 6	X	X			
Insurance certificates as described in the Temporary Right-of-Entry agreement, SCRRRA Form No. 6	X	X			
Letter of Intent			X		
Site Specific Work Plan (SSWP) and SSWP Checklist	X	X		X	
Deposit for Right-of-Entry Support (Signal & Communication Cable Locations, Safety training, and flagging Services)	X	X	X	X	X

5.1 Right-of-Way Encroachment Forms

- A. Right-of-Way Encroachment forms are available on the Right-of-Way Encroachments page of the Metrolink website.
- B. Agreement for Moving Oversized Loads Over Highway-Rail Grade Crossings, Form 4:
 - i. Describe the load
 - ii. Provide height, width and length (in feet)
 - iii. Identify if any SCRRRA facilities need to be moved (e.g. signs, flashing lights, gates)
 - iv. Identify the location of the crossing

- v. Provide the date and time for the move
- vi. Complete the Applicant information
- vii. Sign the agreement

C. Indemnification and Assumption of Liability Agreement, Form 5:

- i. Identify the Location of Work
- ii. Provide a brief description/purpose of the work
- iii. Complete the Applicant information
- iv. Sign the agreement

D. Temporary Right-of-Entry Agreement, Form 6:

- i. Complete project and applicant details (page 1)
- ii. Complete the Applicant information
- iii. Sign the agreement

5.2 Insurance Certificates

- A. SCRRA requires that insurance coverage be provided prior to any entry and/or work activity within the railroad corridor for permanent and temporary encroachments. The Insurance requirements and limits for Right-of-Entry Agreements are included in Exhibit A of the Form 6.
- B. Railroad Protective Liability Insurance, in addition to general liability insurance is required for permanent and temporary encroachments in the right-of-way.
- C. Updated Train Traffic information is available on the Right-of-Way Encroachment page of the Metrolink website.
- D. The Certificate Holder and Additionally Insured are often overlooked, requiring resubmittal. Verify requirements within Exhibit B of the Form 6.5.2

4.2 Letter of Intent

- A. The letter must contain the following information:
 - i. Location: Provide a map, aerial, design plans, or nearest address for filming or surveying. Describe the area where people or equipment will be during the film shoot. Identify each location if surveying or filming will occur in multiple locations.
 - ii. Duration: Identify each day surveying or filming will occur on the right-of-way. Include the start and end time for each day. This includes any set up or take down time when people or equipment will be on the right-of-way.

- iii. Equipment used: Describe the type and quantities of equipment used.
- iv. Number of individuals who will be on the right-of-way
- v. Parking requirements: Identify the number of vehicles that will be parked on the right-of-way during the filming or surveying.

5.3 Site Specific Work Plan (SSWP)

- A. The details of each construction activity affecting the operations, facilities, or right-of-way of SCRRA, or the operations or facilities of other railroads using the right-of-way, must be described in a Site Specific Work Plan (SSWP).
- B. The requirements of a Site Specific Work Plan (SSWP) is available on the Right-of-Way Encroachment page of the Metrolink website.
- C. Complete the SSWP Checklist and include with the SSWP.

5.4.1 Temporary Traffic Control Plans

- A. If the project will affect vehicular traffic across a highway-rail at-grade crossing, temporary traffic control plans are required.
- B. Temporary Traffic Control Plans must comply with SCRRA Engineering Standard 4301. Engineering Standards are available on the Engineering & Construction webpage (About, Engineering & Construction). Use the flow chart to verify temporary traffic control plans address the circumstances of the project.
- C. If the project will include multiple phases which affect the highway-rail at-grade crossing, additional temporary traffic control plans must be included for each phase.

5.4.2 Shoring Plans

- A. Support or shoring located on the SCRRA right-of-way, or within the zone of influence from railroad loading, shall conform to the SCRRA Design Criteria Manual, available on the Engineering & Construction page of the Metrolink website.

5.4.3 Falsework Plans

- A. If the project will include falsework over SCRRA tracks or will impact clearances (horizontal, vertical), falsework plans are required for SCRRA review. Plans must comply with the SCRRA Design Criteria Manual, and Engineering Standard ES-2101, ES-2102 and ES-2103 for clearance requirements. These documents are available on the Engineering & Construction page of the Metrolink website.

5.5 Deposit for Right-of-Way Encroachment Support

- A. The Deposit for Right-of-Way Encroachment Support is an estimate of the costs needed during the project. The deposit is calculated based on the rates within the Schedule of Fees (available on the Right-of-Way Encroachment site), the project duration, and project

needs. Support services are expended based on actual costs.

- B. Railroad Safety Training is required for each individual working on the right-of-way. Training is valid for one full calendar year. The expiration date is listed on the training decal provided after successful completion of training. Include Railroad Safety Training based on the number of classes needed for the project.
- C. Communications and Signal Marking is required when digging, excavating, or installing underground facilities within the railroad right-of-way. C&S Authorization numbers are valid for 30-days. Refresher mark-outs or additional mark-outs may be necessary (e.g., schedule delays, multiple phases).
- D. Railroad Flagging protection is calculated based on the number of days where protection is needed. Partial days are not used when calculating the deposit.
- E. Untimely cancellation, failure to attend training, or not showing up for scheduled flagging will result in incurred costs against the deposit.
- F. To pay fees through paper checks, make checks payable to "Southern California Regional Rail Authority" and mail to the address below.

*Southern California Regional Rail Authority
2700 Melbourne Ave Pomona, California 91767
Attn: Mr. Eric Reese, Right-of-Way Encroachments Coordinator*

- G. To pay fees through Automated Clearing House (ACH) payment notify the ROE Coordinator in the Construction Submittal. The ROE Coordinator will contact the Applicant to provide additional information for payment.
- H. Additional deposits may be requested throughout the project to continue providing Right-of-Way Encroachment support.

5.6 Construction Review

- A. SCRRA reviews Construction Submittals for compliance to technical and safety regulations, including location of work, horizontal and vertical clearances to tracks, shoring, jacking and false work, any issue determined to impact safety or railroad operations, maintainability, drainage impacts, access to member agency property, compatibility with future plans for rail improvements or use of rail roadway, and existing underground railroad facilities.
- B. This review may be conducted during the Engineering Plan Review if the Applicant submits the SSWP, temporary traffic control plans, shoring plans, or falsework plans with the Initial Application Submittal. This review may be conducted separately if a license agreement is needed, or if the Initial Application Submittal is completed by a different entity than the Construction Submittal (e.g., Project Owner submits initial application prior during an earlier phase of a project).
- C. Review SCRRA Form 37 Rules and Requirement for Construction on SCRRA Right-of-Way to verify compliance with SCRRA requirements prior to submission.

7.0 REQUIREMENTS PRIOR TO THE START OF WORK

- A. This section outlines the requirements of the Applicant after the Right-of-Way Encroachment agreement is executed, but before work can commence.
- B. Table 5 lists the requirements applicable to each project type.

Table 5 Requirement Prior to the Start of Work, by Project Type

Item Description	Permanent Facility	Temporary Encroachment	Survey and Filming	Operation & Maintenance	House Moving
Safety Training	X	X	X	X	
SCRRA C&S Authorization	X	X		X	
Request Railroad Flagging	X	X	X	X	X

7.1 Safety Training

- A. Each individual working on the Right-of-Way must complete the Railroad Safety Training.
- B. Refer to the executed Right-of-Way Encroachment agreement and/or cover letter for contact information.
- A. Dates and availability of training courses may be limited. Advanced planning and flexibility are helpful to the trainers and the Applicant’s project schedule.

7.2 Cable Marking and Utilities

- A. The Applicant is responsible for the location and protection of any and all surface, sub-surface, and overhead utilities and structures. Approval of application or issuance of Right of Entry Agreement by SCRRA does not constitute confirmation of the existence or non-existence of any utilities or structures within the limits of this project.
- B. Before digging, excavating, or installing underground facilities the Applicant must determine whether any underground pipe lines, electric wires, or cables, including fiber optic cable systems, are present and located within the Project work area by calling the Southern California Underground Service Alert at 811.
- C. SCRRA is not a member of DIGALERT. The Applicant shall call SCRRA’s Signal Department at (909) 592-1346 or by emailing the ROE Coordinator a minimum of five days prior to beginning construction to mark signal and communication cables and conduits. No work may proceed until an SCRRA C&S Authorization number is provided.
- D. SCRRA C&S Authorization numbers are valid for 30-day.

- E. In case of signal emergencies or grade crossing problems, the Applicant shall call SCRRA's 24-hour signal emergency number 1-888-446-9721.

8.0 REQUIREMENTS DURING WORK

- A. To comply with Federal requirements, the Applicant's person in charge must keep a copy of SCRRA's agreement at the job site at all times during the encroachment on the Property. Failure to provide necessary information and documents, failure to obtain and produce SCRRA agreements (including not having SCRRA agreement on the job site), or violation of SCRRA rules and regulations will result in the removal of the Applicant, the Contractor, their employees, and equipment from the right-of-way.
- B. The Applicant shall follow SCRRA rules and regulations, addressed in Form 37 "Rules and Requirements for Construction on Railway Property".
- C. All persons working on, over, or under the SCRRA right-of-way must be equipped with personal protective equipment meeting applicable OSHA and ANSI specifications. Employees, contractors, subcontractors, suppliers, agents or invitees of Applicant shall possess the personal protective equipment, including safety glasses with side shields, helmets (hard hats), safety shoes with hardened toes, high visibility ORANGE (and only orange) retro-reflective work wear, and SCRRA railroad safety training decal.

8.1 Flagging Services

- B. The Applicant shall request and arrange for flagging services from SCRRA in the following circumstances:
 - i. When the work activities are within the right-of-way of SCRRA.
 - ii. When the work activities are located over or under a track or tracks.
 - iii. When cranes, pile drivers, drill rigs, concrete pumps, or similar equipment positioned outside of the right-of-way could foul the track in the event of tip-over or other catastrophic occurrence.
 - iv. When any excavation is performed below the elevation of the track sub-grade, or track or other railroad facilities may be subject to movement or settlement.
 - v. When work in any way interferes with the safe operation of trains at timetable speeds.
 - vi. When street construction and maintenance activities, located within the right-of-way or in the vicinity of the highway-rail grade crossing, requiring temporary work area traffic control, which may affect or create unsafe conditions for employees, public, trains and vehicles.
- C. Flagging services are only provided by SCRRA authorized contractors. The Applicant will contact SCRRA's consultant/contractor to arrange for flagging services after approval of construction agreement by SCRRA.
- D. Flagging service is dependent on the availability of a Roadway-Worker-in-Charge

(RWIC) and may require a minimum of fifteen working days prior to beginning work. Prior notification of flagging services does not guarantee the availability of the RWIC for the proposed date of work.

9.0 REQUIREMENTS AFTER WORK IS COMPLETE

- A. The Applicant or its Contractor must submit "AS-BUILT" drawings upon completion of the construction.
- B. The Applicant will request review and signature of the Confirmation of Completion Form by the SCRRA Flagging Contractor. The Application will then submit the Confirmation of Completion form to rightofentry@scrra.net.
- C. SCRRA will verify invoicing and billing status for the project. Any Right-of-Way Encroachment monies or contingency not used will be refunded once the project is closed out by SCRRA's Finance Department.