



## THE KANSAS CITY SOUTHERN RAILWAY COMPANY

427 West 12<sup>th</sup> Street  
Kansas City, Missouri 64105-1403



### Right-of-Entry Agreement Process Instructions

#### How to apply:

In an effort to effectively facilitate the Right-of-Entry agreement process, The Kansas City Southern Railway Company ("KCS") partnered with JLL who is committed to provide professional permitting services. This application is designed to collect all of the information required to apply for a Right-of-Entry agreement with KCS through JLL. If applying online, this application will allow you to upload required documents, and provide a shorter cycle time. You may also return to this application website to monitor the application status.

If you complete your application online, you will be prompted to upload required documents and make online payment for the processing fee as defined below.

If you cannot complete your application online, complete the application, print and mail with the following. Note that this process may cause delays in processing the application.

Complete the application, submit/print and, if mail, with the following:

- \$1,000 non-refundable processing fee made payable to JLL. KCS requires the processing fee be sent with the application or it will be returned. **This processing fee does not include any fees for permit fee, insurance, or flagging. Payment of all additional fees is due prior to any construction.**
- Plans and aerial of the work area, shoring plans and calculations, location plan, construction sequence plans, etc.

**TO:** Sylvia Schmidt – Senior Permit Manager  
JLL – Rail Practice Group  
4300 Amon Carter Blvd., Suite 100  
Fort Worth, TX 76155  
Phone: (817) 230-2688 or Melissa Leal at (817) 230-2614  
Email: sylvia.schmidt@am.jll.com or melissa.leal@am.jll.com

#### Process & Requirements:

1. If the information is not complete or is incorrect, it will delay the Right-of-Entry agreement process.
2. Once the application package is received by JLL, it will be forwarded to KCS for review and approval. Ensure all information provided is accurate as it will be used to prepare the agreement.
3. Once KCS approves the application, an agreement will be prepared and emailed to Contractor for original signature. If application is not approved, Contractor will be notified in writing with reason/s for disapproval.
4. Once Contractor receives agreement, Contractor is to forward two (2) signed original agreements and required insurance to JLL, along with all drawings approved by KCS.
5. Agreements signed by Contractor will be presented to KCS for execution, provided permit fee has been received, and insurance is compliant.
6. If Contractor is working on structure, performing maintenance, or construction, i.e. track repairs or work on structures such as bridges, signals that are on KCS property, Contractor shall require its employees, contractors and subcontractors to be trained and certified in KCS' on-track safety in accordance with the Federal Railroad Administration's Roadway Worker Protection regulations before entering KCS's property from TrackSense, Inc. at 330-847-8661 or Rick Stapleton at 765-623-2306. Inspections and Surveys do not require safety training.
7. When Contractor is on KCS property for whatever reason or has a potential to encroach onto KCS property, a qualified railroad flagman is required. It will be Contractor's responsibility to coordinate in obtaining and paying for the flagman from one of the following KCS approved flagging companies:



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**Railpros, Inc.**

D.J. Ezell	877-315-0513, X189	<a href="mailto:dj.ezell@railprosfs.com">dj.ezell@railprosfs.com</a>
Jennifer Kazner	877-315-0513, X116	<a href="mailto:jennifer.kazner@railprosfs.com">jennifer.kazner@railprosfs.com</a>
Gabe Medina	877-315-0513, X168	<a href="mailto:gabe.medina@railprosfs.com">gabe.medina@railprosfs.com</a>

**Railroad Protective Services**

Glen Ray Bowman	318-553-3500	<a href="mailto:grb@rrprotective.com">grb@rrprotective.com</a>
Dave Shaffer	904-588-3433	<a href="mailto:drs@rrprotective.com">drs@rrprotective.com</a>
Jennifer Weithman	904-416-3062	<a href="mailto:jen@rrprotective.com">jen@rrprotective.com</a>

8. Once the agreement is executed, arrangements for flagging will be confirmed by JLL. Once confirmed, a copy will be emailed so work can begin and one (1) original will be returned to the Contractor.
9. Average time period for completion of this process is three (3) weeks from the time application is received. Every effort will be made to complete this process in a timely manner.
10. Contractor agrees to notify JLL in writing when work has been completed its work on KCS property.
11. Right-of-Entry Permits are typically valid for six (6) months from the time of execution. If longer duration is required, please note in this application.

**Insurance Requirements:**

Contractor shall provide, and shall require any subcontractors employed by it in the performance of the work to provide, in addition to any other form of insurance or bond required by statute, insurance of the following kinds and amounts:

**Show The Kansas City Southern Railway Company and its Affiliates, 427 W. 12<sup>th</sup> St., Kansas City, MO 64105-1403 as a Certificate Holder for the following:**

- Comprehensive General Liability & Contractual Liability Insurance. \$2,000,000 per occurrence and an aggregate of \$4,000,000 minimum limits;
- Automobile Liability Insurance. \$1,000,000 combined single limit;
- Workers Compensation Insurance. Minimum statutory worker's compensation coverage for all covered employees who are on KCS's property;
- Policy will be endorsed to give 30 day's written notice of its intent to cancel or materially alter to KCS and its Affiliates;
- Commercial General Liability naming KCS and its Affiliates as additional insured;
- Waiver of subrogation in favor of KCS and its Affiliates;
- All policies will be primary to any insurance or self-insurance KCS and its Affiliates may maintain for acts or omissions of Contractor or anyone for whom Contractor is responsible.

**Show The Kansas City Southern Railway Company and its Affiliates, 427 W. 12<sup>th</sup> St., Kansas City, MO 64105-1403 as an Insured for the following:**

- Railroad Protective Liability Insurance naming KCS and its Affiliates as insured with \$2,000,000 per occurrence and \$6,000,000 aggregate. Visit [www.123ocp.com](http://www.123ocp.com) to obtain.

These limits are subject to change at any time without notice. An agreement will be provided to Contractor, which contains details concerning insurance requirements.



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**Application for Right of Entry Agreement**

**1. Contractor Information:**

Contractor: \_\_\_\_\_

Attn.: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Cell: \_\_\_\_\_

Email: \_\_\_\_\_

**2. Scope of Work:**

Project Name: \_\_\_\_\_

Area to occupy: \_\_\_\_\_ feet by \_\_\_\_\_ feet

Time Period: From \_\_\_\_\_(MM/DD/YY) to \_\_\_\_\_(MM/DD/YY)

Type of work (check all that apply):  Bridge  Road Resurface  Survey  Drainage

Utility  Inspection  Other (specify): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Purpose of occupancy and type of work to be done (be specific and detailed; add separate sheet if needed):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**3. Location:**

City: \_\_\_\_\_, Parish/County \_\_\_\_\_, State \_\_\_\_\_

Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

DOTD#: \_\_\_\_\_ (see below)

To obtain DOTD#: (<http://safetydata.fra.dot.gov/OfficeofSafety/PublicSite/Crossing/Crossing.aspx>)

KCS Subdivision \_\_\_\_\_ Distance from centerline of nearest street: \_\_\_\_\_



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Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_

KCS Mile Post \_\_\_\_\_ + \_\_\_\_\_ feet

If parallel, closest perpendicular distance from centerline of track:

KCS Mile Post Beginning: \_\_\_\_\_ + \_\_\_\_\_ feet and KCS Mile Post Ending \_\_\_\_\_ + \_\_\_\_\_ feet

If spur, distance from point of switch \_\_\_\_\_ feet

Is work to be performed within 25' of tracks  Yes  No

Will a crossing be required?  Yes (additional review time and fees may apply)  No

If yes, at what Mile Post location? \_\_\_\_\_ + \_\_\_\_\_ feet

I/We submit this Right-of-Entry Permit application for your approval for work as described in this application.

By submitting this application, I/we understand that KCS is under no obligation to grant this request and KCS may deny this request for any reason, including but not limited to safety and engineering considerations and operating convenience.

I/We understand that submission of this application does not authorize permanent occupancy on KCS property.

**By typing/signing below and submitting this application, I/we agree to all of the terms and conditions of this application and agree to pay all fees defined for this work associated with this application.**

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_