

Utility Application Process Instructions

Kansas City Southern Railway

Application for Permit to install Pipeline or Waterline inside KCS Right-of-Way

How To Apply

In an effort to effectively facilitate the permit process, The Kansas City Southern Railway Company ("KCS") partnered with JLL who is committed to provide professional permitting services. This application website is designed to collect all of the information required to apply for a permit with KCS through JLL. It will also allow the applicant to upload all the required documents. The applicant can return to the application website to monitor the status.

If the application cannot be completed online, print and complete the application and mail the same with all the required documentation and application fees. Required documentation may include, but not be limited to:

- Drawing of area to be occupied pursuant to Section G of the Specific Requirements.
- Aerial of area to be occupied showing at least one (1) adjacent crossing (aerial image must match what it says about the nearest crossing on the application).
- Plan and profile of the installation.
- Shoring design and calculations, if required.
- Horizontal and vertical clearances to various railroad facilities including tracks, signal structures, bridges, culverts, existing utilities, etc.

APPLICATION FEES:

- Applicant shall pay a one-time \$2,500 non-refundable processing fee, payable to JLL (if proposed installation is parallel to KCS ROW, call Denise Case). Processing fee must be sent with application or the application will be returned. The processing fee covers a standard application review. If additional review is required for other conditions such as structural, electrical, railroad signal wiring/equipment, geotechnical, environmental, etc. an additional processing fee may be warranted and charged. JLL will notify applicant in advance of such additional review prior to assessing any additional processing fees.
- Payment of all additional fees is due prior to any construction. The non-refundable processing fee does not include any fees for:

- **One-time Agreement Fee**
- **Insurance**
- **Flagging/Construction Observation**

For all questions associated with utility permits please contact:

Denise Case
Permit Manager
JLL - Rail Practice Group
4200 Buckingham Road, Suite 110
Fort Worth, TX 76155
Phone: (817) 230-2614
Email: Denise.Case@am.jll.com

JLL Payment Options

Check or Money Order using US Mail, UPS, FedEx or other delivery service Remit your check or money order payable to: **JLL**

Address: JLL

KCS Permit Department
4200 Buckingham Road, Ste 110 Fort
Worth, TX 76155

ACH Payment

This option is available for your processing fee payment only. Please have your bank email **Denise.Case @am.jll.com** when an ACH is processed. ***Please have the bank include your application number in the email.

ACH Payment Instructions:

Bank Name – Harris Bank

Account Title – Jones Lang LaSalle Americas, Inc. Kansas

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ABA Number - 071000288

Account Number – 304-374-2

Reference – KCS application number XX-XXXXX

If you require further assistance sending or formatting electronic payments please contact your financial institution.

Please be advised that your application will not be processed until the processing fee is received.

Permit Process & Time:

1. If there are discrepancies or errors in the application, plans or specifications, it will be returned for correction, which may cause delays.
Specifications identified in your plans must match the application.
2. Once the application is received by JLL and found to be complete, the application package will be forwarded to the engineering firm to perform the engineering specification review, prepare Exhibit "A" drawing for the agreement, and then forwarded to KCS for final review and approval. Applicant will be contacted if additional information is needed for review and approval. An additional processing fee up to \$1,200 may be charged for each modification to the exhibit. However, the additional fee could exceed \$1,200 in circumstances where the change requires additional engineering or signaling investigation beyond those considered standard.
3. Once the application package is approved by KCS, an agreement will be prepared and emailed to applicant for signature.
4. Applicant shall forward two (2) copies of the agreement with original signatures, along with the appropriate agreement payment, and insurance documents to JLL.
5. As noted in this application, the applicant **must** contact the engineering firm, Bartlett & West, a minimum of ten (10) days in advance notice of construction and sign their contract for construction observation, flagging and mobilization. The agreement **will not** be executed by KCS or forwarded to applicant until evidence has been provided that applicant has contracted with the engineering firm for construction observation, flagging and mobilization.
6. Final agreements with original signatures are presented to KCS for execution, provided fees have been received, construction observation, flagging and mobilization have been contracted for, and insurance is compliant.
7. Once the agreement is executed, a copy will be emailed and one (1) original will be forwarded to the applicant.
8. The average time period for completion of this process is 6 to 8 weeks from the time application is received. Every effort will be made to complete this process in a timely manner.
9. Installation of utility will **not** begin until all documents (signed agreement, insurance and fees) have been received and agreement has been fully executed by KCS. If the installation has not occurred within sixty (60) days from the date an agreement is sent to applicant for signature, a second review and processing fee of \$2,500 will be required to confirm track or other conditions have not changed.

INSURANCE REQUIREMENTS:

Applicant shall provide, and shall require any contractors or 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. 12th 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 and its Affiliates 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 Applicant or its Contractor

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or anyone for whom Applicant or its Contractor is responsible.

Show The Kansas City Southern Railway Company and its Affiliates, 427 W. 12th 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. If you do not have an RPLI carrier, you may visit www.123ocp.com to obtain RPLI.

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

SPECIFIC REQUIREMENTS FOR LICENSE TO INSTALL PIPELINE OR WIRE LINE INSIDE KCS RIGHT-OF-WAY

A. GENERAL

Pipeline installations will be reviewed for compliance with The American Railway Engineering and Maintenance of Way Association (AREMA) standards and KCS Standards and Specifications. If conflicts exist between KCS specifications and AREMA, KCS specifications shall govern. The following Parts from AREMA are utilized for underground installations:

- 5.1 Specifications for Pipelines Conveying Flammable Substances
- 5.2 Specifications for Uncased Pipelines within the Railway Right-of-Way
- 5.3 Specifications for Pipelines Conveying Non-Flammable Substances
- 5.4 Specifications for Overhead Pipelines Crossings
- 5.5 Specifications for Fiber optic "Route" Construction on Railroad Right-of-Way

Wire line installation will be reviewed for compliance with the 2002 National Electric Safety Code Article 232, Table 232.1 and KCS Standards and Specifications. Direct burial of wires is not allowed.

B. CASING

Pipelines carrying liquids must be encased in steel pipes. Uncased carrier pipes transporting or conveying natural gas must be steel. **Casing pipes must be buried at a minimum depth of fifteen feet (15')** from base of rail to top of casing pipe, **and minimum of ten feet (10')** between top of casing pipe and natural ground or ditch bottom on KCS property).

Inside diameter of casing pipe less than six inches (6") in diameter shall be at least two inches (2") greater than the largest outside diameter of the carrier pipe, joints, or couplings, for carrier pipes, and at least four inches (4") greater for carrier pipe six inches (6") and over in diameter.

Additionally, KCS requires that all pipelines carrying liquid flammables be encased across the entire width of the KCS right-of-way.

C. BORING

Bore pits **must** be placed outside of KCS right-of-way. If there are extenuating circumstances which require a bore pit to be placed within the limits of the right-of-way, specific application must be made outlining need for encroachment upon KCS right-of-way. Detailed drawings and calculations of shoring for excavation shall be submitted along with the application for KCS' review.

Misaligned bores will not be pulled and re-drilled, but abandoned in place. See Section D – Abandonment for requirements. New bore will be moved and re-drilled at least five feet (5') to either side of the misaligned attempt.

No wet bores or open cut trenching across tracks are allowed. Directional boring must utilize a machine which retrieves a majority (95%) of the drilling fluid slurry used in the placement of lines/casings. Wet bores refers to the use of liquids to displace soil.

Other methods of installations, including tunneling, direct piping, etc., can be submitted for review and approval.

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D. ABANDONMENT

Any pipelines being abandoned must be filled with a suitable flow able fill material and sealed.

When carrier pipe is centered in casing, provide end seals as manufactured by Link-Seal, Pipeline Seal and Insulator, Inc. (PSI), Raychem, or approved equal, as required for the application. Seal material shall be DFO and oil resistant. Provide coated steel or non-metallic casing spacers as manufactured by PSI or approved equal.

When carrier pipe is not centered in casing, provide end seals as manufactured by Pipeline Seal and Insulator, Inc. (PSI), Raychem, or approved equal, as required for the application. Seal material shall be DFO and oil resistant. Provide coated steel or non-metallic casing spacers as manufactured by PSI or approved equal.

E. SIGNAGE

All underground installations will be marked at entry and exit to KCS right-of-way with a sign mounted on a substantial post at least four feet (4') above ground surface. Parallel encroachments will be marked with a sign every five hundred feet (500') and at every road crossing with a sign mounted on a substantial post at least four feet (4') above ground surface. The sign must convey the commodity conveyed, name and address of owner, emergency phone number, and any emergency response information.

F. SHORING

All underground installations will be subject to additional shoring review where necessary. All bore pits will be subject to OSHA requirements and may also be subject to AREMA standards (Part 28 – Temporary Structures for Construction). All shoring design shall be in accordance with KCS Shoring Specifications and Guidelines. A latest copy can be obtained by contacting JLL. Using print titled "General Shoring Requirements" Date: 4/21/06, Rev.: 4/27/07; a determination will be made on the need for a shoring review. If this additional review is required, add two (2) weeks to the estimated time to process your application. Additional documentation including shoring calculations and design details endorsed, signed and sealed by a structural engineer, must be submitted to KCS Engineering Department for review. Additional fees may be charged for review of shoring design. This amount is **in addition** to the standard \$2,000 processing fee.

G. APPLICATION SUBMITTAL

Applicant to furnish copy of fully completed application and print showing drawing with crossing measured from the nearest Mile Post, Bridge back wall, point of mainline switch or DOT-AAR numbered vehicular crossing, as well as limits of KCS (and street or highway, if involved) right-of-way; plus print of profile sketch (cross section) of actual situation showing relationship of tracks, contours of ground and surface ditches, the encroaching line, other buried or wire lines, etc. This is to be used to prepare exhibit for agreement. **Print must show North.**

H. SCHEDULE

The Standard review takes approximately six (6) weeks and estimated times for review and are not guaranteed. When application has been processed and agreement executed, allow a minimum of ten (10) days for scheduling of applicable mobilization, construction observation, and flagging services.

DRY BORE & JACK AND DIRECTIONAL DRILLING SPECIFICATIONS

1. Prior to drilling, contractor must provide the following information to KCS/JLL for review and approval before any construction activities commence:

- Type of drilling fluid and additives to be used (straight water is not acceptable);
- Anticipated drilling fluid volume used for initial bore and pull back of casing pipe;
- Anticipated drilling fluid pressure;
- Anticipated drilling rate;
- Anticipated drilling fluid volume recovery (minimum 95%).

2. Fluid volume, fluid pressure, and pumping rate are to be monitored by the drilling contractor (calibrated fluid tanks are to be used) and are to be provided to KCS/JLL.

3. The bore is to be of constant grade (under KCS property). No sag in pipe grade is allowed.

4. The back reamer shall have a maximum diameter of ten inches (10"), and maximum casing pipe diameter of eight inches (8").

5. The Contractor is to track the drill head during drilling and record depth of cover below existing surface and provide this information to KCS/JLL.

6. If the casing becomes stuck, the end is to be cut off, the casing filled with flow able fill, and abandoned. An exhibit indicating horizontal and vertical location of the abandoned casing must be provided to KCS/JLL. Casing pipe is only to be pulled into place with the drilling equipment. The use of a dozer, backhoe, etc. to pull casing pipe into place is not permitted.

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7. If the fluid volume significantly exceeds the expected volume, or if the fluid pressure drops significantly, drilling is to stop, and the bore is to be filled with bentonite slurry and abandoned.
8. Casing ends must be sealed, with the Contractor informing KCS/JLL of the type of seal they propose to use.
9. Identifying marker signs indicating the presence of the new utility must be posted within twenty-four (24) hours of casing and carrier pipe material installation and backfilling of any pits and dressing of KCS property. The drilling contractor will be assessed a fee of \$1,500/day until the signs are placed. The Construction Observer will stay on site and a fee of \$1,500 per day will be assessed until signs are in place.
10. An exhibit indicating the plan view, skew, and vertical elevations of the casing must be submitted to KCS upon completion of the project.
11. Initial bore pit and receiving pit are to be located off of KCS right-of-way. If it is necessary for the pit(s) to be on KCS property, shoring plans for railroad loading must be provided to KCS/JLL for review and approval prior to the beginning of work.