



INDIANA DEPARTMENT OF TRANSPORTATION

Driving Indiana's Economic Growth

Design Memorandum No. 23-08

July 11, 2023

TO: All Design, Operations, and District Personnel, and Consultants

FROM: /s/ Samantha Anderson
Samantha Anderson
Utility and Rail Division Director

SUBJECT: Railroad Flagging

REVISES: *Indiana Design Manual (IDM) 105-3.03*

EFFECTIVE: Contracts letting on or after January 1, 2024

Norfolk Southern Railroad (NS) has recently changed their policy on flagging for INDOT projects near their property. Specific types of projects no longer require significant NS involvement and instead utilize “direct hire”. This means the contractor will interact directly with the Railroad’s consultant to fulfill flagging requirements. Until a project decision framework is developed, NS will instruct INDOT on a project-by-project basis when direct hire applies.

When direct hire is required, the contract will include a flagging unique special provision (USP) and flagging budget pay item.

Designers

The USP will be completed by the project Railroad Coordinator and provided to the designer. Do not upload the USP to the INDOT Unique Special Provision SharePoint site. It should be uploaded to ERMS as part of the Final Tracings package using the Railroad Special Provisions ERMS naming convention and document type. The provision should be listed on the USP Menu. Include following pay item.

Pay Item	Description	Unit	Notes
107-12976	Railroad Flagging Budget	DOL	The dollar amount should be entered as the quantity and the unit price as \$1. The amount will be provided by the Railroad Coordinator.

Railroad Coordinators

A template for the Railroad Flagging Budget special provision is available in the Railroad Application (RRA) template library. RRA accessed via the INDOT Technical Application Pathway. The project Railroad Coordinator should complete the special provision and provide it to the designer and project manager, along with the pay item and associated dollar amount. Note that the USP and pay item may be required prior to the January 1, 2024, effective date.

The Railroad Certification template has been revised and is available in the RRA template library. The revised template is required for contracts letting on or after January 1, 2024.

Norfolk Southern is currently the only Railroad requiring the use of consultant flagging; however, INDOT anticipates this procedure applying to more Railroads in the future.

IDM Revisions

IDM Section 105-3.03 has been revised to reflect this change in procedure. The revision is included for reference on the next page.

Questions

For questions related to this design memo and the overall policy please contact the INDOT Utility and Rail Division Director, Sam Anderson, at saanderson2@indot.in.gov.

IDM Revisions

105-3.03 Special Provisions and Certification [Rev. Jul. 2023]

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There are four different types of railroad certifications:

1. No Railroads found within specific project limits
 - This is the most common and often used type of certification
 - Most of INDOT's projects do not affect railroads, even if they happen to be in the vicinity of the project
2. Railroads exist within the project limits, but have been found not to be affected by the proposed construction, incidental construction, or Maintenance of Traffic
 - If this second type of certification exists, the coordinator will need to complete Special Provisions and "Attachment A" (List of Railroads within Project Limits but were determined to be unaffected by the proposed construction)
3. Railroads exist within the project limits and have been found to be affected by the proposed construction
 - Most INDOT resurface projects that cross a railroad will require this type of certificate and an agreement will be executed between the State and the Railroad, generally for flagging. In some cases, "direct hire" will be required, and the contractor will interact directly with the Railroad's consultant to fulfill flagging requirements. This will require a flagging pay item/budgetary item and/or agreement. Railroad special provisions and Railroad Protective Liability Insurance will be required.
 - For these certifications, you will also need to complete the "Attachment B" (List of Railroads within Project Limits and were found to be affected by the proposed Construction)
4. Design-Build Project
 - The last type of certificate, INDOT will allow a project to go to bid with the design incomplete and hire a design builder to complete the design and build the project
 - Occasionally these projects involve a railroad
 - If so, complete the "Attachment D" and add the INDOT Contract Number and Date of Handoff in the text of this attachment before signing it